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Arbitration Original Petition (Com.Div.) No.649 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.12.2025

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Arbitration Original Petition (Com.Div.) No.649 of 2025

M/s.Five Star Business Finance Limited
Regd. Office at
New No.27 (Old No.4) Taylors Road,
Kilpauk, Chennai – 600 010.
Rep. By its Authorised Signatory
Madhusandhan Someswaran

..... Applicant

Vs

1.Silvery Babay

2.Silveri Soujanya

3.Maddikunta Sampath Kumar

..... Respondents

Prayer : Application filed under Section 11(6) of the Arbitration and Conciliation Act, 1996, praying to appoint a sole Arbitrator to adjudicate the differences and disputes between the petitioner and the respondents under the Loan Agreement dated 25.08.2023 bearing Reference No.FSKALALONS000005120652.

For Applicant : Mr.P.Suresh



ORDER

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This petition has been filed under Section 11 (6) of the Arbitration and Conciliation Act, 1996 [for brevity 'the Act'] for appointment of an arbitrator to adjudicate the differences and disputes between the petitioner and the respondents under the Loan Agreement dated 25.08.2023.

2. Notice has been served on the respondents and affidavit of service has been filed and the names of respondents have also been printed in the cause list. There is no appearance either in person or through counsel. This Court finds that there is a valid agreement between the parties in line with Section 7 of the Act. The agreement also provides for arbitration clause in Article 10 of the Loan Agreement.

3. In view of the above, this Court is inclined to proceed further and appoint Sole Arbitrator and refer the dispute between the petitioner and the respondent to the Sole Arbitrator, which will be dealt with on its own merits and in accordance with law.

4. In the light of the above discussion, this Court appoints Ms.A.Nilaphar, 51, Law Chambers, High Court Buildings, Chennai – 600



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104, as the sole Arbitrator and the sole Arbitrator is requested to adjudicate the arbitral disputes that had arisen between the parties and render arbitral award by holding sittings in the 'Madras High Court Arbitration Centre under the aegis of this Court' (MHCAC) as per Madras High Court Arbitration Proceedings Rules 2017 and fee of Sole Arbitrator shall be in accordance with the Madras High Court Arbitration Centre (MHCAC) (Administrative Cost and Arbitrator's Fees) Rules 2017.

Accordingly, this petition is disposed of.

01.12.2025

Index:yes/no

NCC:yes/no

Speaking order/Non-speaking order

gm



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N.ANAND VENKATESH, J.

gm

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Arb. O.P.(Com.Div.) No.649 of 2025

N.ANAND VENKATESH, J

Today, the matter was listed under the caption “for being mentioned” on the ground that the loan agreement number has been typed wrongly in the prayer portion of the order dated 01.12.2025 and hence, the same shall be replaced as FSTSLALONS000005456350.

2.Registry is directed to carry out necessary correction in the order and issue fresh order copy.

02.02.2026

gya