



WEB COPY

Arb O.P(COM.DIV.) No. 5
of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03-11-2025

CORAM

THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

Arb O.P(COM.DIV.) No. 599 of 2025

Itakem Finechem Private Limited
No.7-B, Vuppathur Avenue
Flowers Road, Kilpauk
Chennai-600010 represented by its
Director S.Hemant Kumar

Petitioner

Vs

1. SNS Leathers
Plot No.206, Sidco Industrial Estate
Sipcot, Ranipet-632403
Represented by its Proprietor
2. Rajkumar, Proprietor
Plot No.206, Sidco Industrial Estate
Sipcot, Ranipet-632403
3. Council for National and
International Commercial
Arbitration (CNICA)
Unit No.208 2nd Floor, Beta Wing,
Raheja Towers,
Near LIC No.113-134



Anna Salai, Chennai-600002
Rep by its Secretary General.

Respondents

PRAYER

- (a) To Appoint an arbitrator to adjudicate the disputes in-terms of arbitration agreement (invoices) dated from 11/09/2021 to 21/12/2022
- (b) Direct the first and second respondents to pay costs

For Petitioner: Mr.P.Senthil Dhandapani

For Respondents: No appearance

ORDER

This original petition has been filed under Section 11(1) & (2) of the Arbitration and Conciliation Act, 1996 to appoint an Arbitrator to adjudicate and decide the disputes between the petitioner and the respondents arising out of the arbitration agreement (invoices) dated from 11.09.2021 to 21.12.2022.

2. When this petition came up for hearing on 06.10.2025, this Court passed the following order:-

“This petition has been filed under Section 11 of the Arbitration and Conciliation Act, 1996 [hereinafter referred to as the Act] to appoint an arbitrator to resolve the dispute arising out of the Arbitration agreement (invoices) dated from 11.09.2021 to 21.12.2022.

2. The respondents 1 and 2 purchased Leather chemicals from the petitioner and in the course of the said transaction, there is a total amount of Rs.10,36,929/- due and payable to the petitioner. The invoices that was raised contained an arbitration



clause in the following terms :-

All disputes and clients arising between us inclusive or person, passed and future transaction shall be referred to sole arbitrator nominated by CNICA & the venue shall be at Chennai & Language being English.

3. The trigger notice under Section 21 of the Act, was issued on 01.08.2025 by informing the respondents 1 and 2 that the petitioner is intending to refer the dispute to the 3rd respondent Arbitration council. Inspite of the same, there was no response and hence, the present petition has been filed before this Court.

4. Notice to the respondents 1 and 2 returnable by 03.11.2025. Private notice is also permitted.

5. Post this case for hearing on 03.11.2025. ”

3. Pursuant to the above order, the private notice sent to the respondents has been served and affidavit of service has also been filed. Even though the names of the respondents are printed in the cause list, there is no appearance either in person or through counsel.

4. In view of the above, this Court finds that there is a valid agreement in line with Section 7 of the Arbitration and Conciliation Act, 1996, which contains an arbitration clause. Hence this Court is inclined to appoint a sole Arbitrator in this case. Accordingly, Mr.B.Vijay, Advocate, having address for service at No.257, Second Floor, Canara Bank Building, Angappa Naicken Street, Parrys, Chennai 600 001, Mobile No.9840445527 is appointed as the



sole Arbitrator and the learned Arbitrator is requested to enter upon reference qua the arbitration agreement (invoices) dated from 11.09.2021 to 21.12.2022, adjudicate the arbitral disputes that have arisen between the parties by holding the sittings in any venue in Chennai to the convenience of all concerned and render an award. Fees of the sole Arbitrator shall be in accordance with the Madras High Court Arbitration Centre (MHCAC)(Administrative Cost and Arbitrator's Fees) Rules 2017.

5. This original petition is disposed of in the above terms. There shall be no order as to costs.

03-11-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes/No

Neutral Citation: Yes/No

SS

To

1. Mr.B.Vijay

No.257, Second Floor

Canara Bank Building

Angappa Naicken Street

Parrys, Chennai 600 001

Mobile No.9840445527



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2. The Director

Tamil Nadu Mediation and Conciliation
Centre-cum-Ex-Officio Member
Madras High Court Arbitration Centre
Chennai 600 104



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