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Arb O.P(COM.DIV.) No. 6
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. 605 of 2025

Mr.S.A.Vinoth
Proprietor
M/s. Quality Construction and
Technical Service
13/1-5D2, Pachamaniyarar Street
Pudusampalli, Raman Nagar (PO)
Mettur Dam- 636 403

Petitioner

Vs

The Executive Officer
Special Grade Town Panchayat
Mecheri, Salem District-636453

Respondent

PRAYER

a.To appoint a sole arbitrator to adjudicate the disputes between the Petitioner and the Respondent as per the terms and conditions in the Agreement dated 21.09.2023

b. Direct the Respondent to pay costs of this petition

For Petitioner: Mr.T.Saikrishnan

For Respondent: Mr.N.Naveen Kumar
Government Advocate



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ORDER

This original petition has been filed under Section 11(5) & (6) of the Arbitration and Conciliation Act, 1996 to appoint an Arbitrator to adjudicate and decide the disputes between the petitioner and the respondent arising out of the agreement dated 21.09.2023.

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 (5) & (6) of the Arbitration and Conciliation Act, 1996 [hereinafter referred to as the Act] to appoint a sole arbitrator to resolve the dispute arising out of the Agreement dated 21.09.2023.

2. The petitioner participated in the tender that was called for by the respondent and the petitioner was declared as the successful bidder. According to the petitioner, he has completed his obligations under the works contract and the grievance of the petitioner is that a total sum of Rs.12,16,100/- is due and payable to the petitioner after adjusting the payment already made by the respondent. The works contract contains an arbitration clause wherein it is contemplated that the matter will be referred to the Executive Engineer / Regional Engineer. The



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petitioner wants an independent contractor to be appointed and hence, the trigger notice under Section 21 of the Act dated 19.06.2025 was issued to the respondent. Since there was no response, the present petition has been filed before this Court.

3. Notice to the respondent returnable by 03.11.2025. Private notice is also permitted.

4. Post this case for hearing on 03.11.2025. ”

3. Pursuant to the above order, the respondent is represented through the learned Government Advocate.

4. Heard the learned counsel appearing on either side and perused the materials available on record.

5. 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.R.Vishnu, Advocate, having address for service at No.6(39), Salai Street, Mylapore, Chennai 600 004, Mobile No.9841067395 is appointed as the sole Arbitrator and the learned Arbitrator is requested to enter upon reference qua the agreement dated 21.09.2023, 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.

6. 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.R.Vishnu

No.6(39) Salai Street

Mylapore

Chennai 600 004

Mobile No.9841067395

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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