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Arbitration Original Petition (Com.Div.) No.656 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.656 of 2025

Tata Capital Limited
(transferee of Tata Capital Financial Services Limited)
represented by its Authorised Representative/Power Agent,
Mr.Manoj
Registered Office at
11th Floor, Tower A, Peninsula Business Park,
Ganpatrao Kadam Marg, Lower Parel,
Mumbai – 400 013.
Branch Office at 1st Floor, Centennials Square,
6A, Dr.Ambedkar Salai, Kodambakkam,
Chennai – 600 024. Petitioner

Vs

1.V.M.Tex,
Proprietor Mr.Krishnan Murugan
No.7, B1, Chanthirama Kadai,
Mettur, Salem, Mecheri,
Tamil Nadu – 636 451.

2.M.Deepa Respondents

Prayer : Application filed under Section 11(6) of the Arbitration and Conciliation Act, 1996, praying to appoint a sole Arbitrator to adjudicate upon the dispute arisen between the petitioner and the respondents.



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For Petitioner : Ms.Abitha Banu

ORDER

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 cum Hypothecation Agreement dated 26.05.2022.

2. Notice has been served on 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 13 of the Loan cum Hypothecation Agreement dated 26.05.2022.



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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 respondents 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 Mr.N.Manokaran, 2-16, A-1, Krishna Rubel Apts., East Circular Road, Manavelipakkam, Chennai – 600 028, [Mobile No.94441 70271], 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.



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WEB COPY Index:yes/no

NCC:yes/no

Speaking order/Non-speaking order
gm

N.ANAND VENKATESH, J.

gm



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