



W.P.(MD)No.5872 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 27.03.2025

CORAM

THE HONOURABLE MR.JUSTICE **V. LAKSHMINARAYANAN**

W.P.(MD)No.5872 of 2025

and

W.M.P.(MD)Nos.4273 and 4274 of 2025

Venkatachalam

... Petitioner

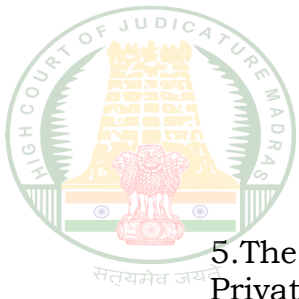
vs.

1.The Senior Manager,
Catholican Siriyan Bank (CSB Bank),
782A/1, RSr Complex,
Salem Main Road, Namakkal.

2.The Authorized Officer,
Catholican Siriyan Bank (CSB Bank),
54, 2nd Floor, Siva Complex,
Old Post Office Road, Coimbatore.

3.The Chief Manager,
Debt Recovery Branch,
Catholican Siriyan Bank (CSB Bank),
54, 2nd Floor, Siva Complex,
Old Post Office Road, Coimbatore.

4.The Sole Arbitrator,
Vibin Sharma,
Advocate,
No.1402, A1 WING 1,
Vigang Hills, GB Road, Thane - 400 615.



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5.The Registrar,
Private Court,
Arbitration Origination,
208, 2nd Floor,
Clobe Business Part, Amber Noth West,
Near Railway Station, Amber Noth - 421 505.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari calling for records of the 5th respondent proceeding in PVTCSB200/0125/158, dated 20.01.2025 and quash the same as illegal.

For Petitioner	:Mr.S.Muthukrishnan
For R1 to R3	:Mr.R.Shankar Ganesh for Mr.S.Babu

ORDER

Here is a case where, one Advocate Mr.Vibin Sharma conducting a private Court initiated arbitration proceedings between the Catholic Syrian Bank and the Writ Petitioner. Challenging the same, the present Writ Petition came before this Court.

2.When the matter came up for admission, recording the fact that arbitration proceedings had been initiated without a clause for arbitration, I granted an interim stay of further proceedings before the said Mr.Vibin Sharma and his Registrar, who is the fifth respondent herein.



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WEB COPY 3. When the matter was taken up today, Mr.R.Shankar Ganesh representing Mr.S.Babu, for the respondents 1 to 3, informs this Court that after the interim order was granted by this Court, proceedings were withdrawn by the respondents 1 to 3 before the fourth respondent "Private Court-Judge". He states that the Bank has approached the Debts Recovery Tribunal by filing an original application.

4. When an order of stay has been granted by this Court, even an order of withdrawal ought not to have been passed by the fourth respondent. He is supposed to refrain from taking any action and await further orders from this Court. Be that as it may, as the proceedings are no longer pending, this Writ Petition has become infructuous.

5. Leaving it open to the parties to workout their rights in the Original Application, recording the fact that the arbitration proceedings have been withdrawn, this Writ Petition is dismissed. However, for having invoked arbitration proceedings, when no clause exists, they have to pay costs to the Writ Petitioner. The respondents



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1 to 3 shall pay the cost of Rs.10,000/- to the Writ Petitioner. No costs. Consequently, connected miscellaneous petitions are closed.

Index :Yes / No
NCC :Yes / No

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cmr



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V. LAKSHMINARAYANAN, J.

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