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Arbitration Original Petition (Com.Div) No.16 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.02.2026

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Arbitration Original Petition (Com.Div) No.16 of 2026

and

Arbitration Application No.6 of 2026

Arbitration Original Petition (Com.Div) No.16 of 2026

1.P.Vijaya Janarthanan

2.M.Divya Ruban

.... Petitioners

Vs.

1.Sri Devi Karumari Amman Thirai Arangam,
represented by its Partners
(i) R.Sudhakar (ii) Radhika (iii) K.Vaijiravelu
(iv) K.Vengappa (v) K.Kumaravelu
Having office at No.71/2, Yadhavaal Street,
Virugambakkam, Chennai – 600 092.

K.Rangasamy (deceased)

2.R.Sudhakar

3.Radhika

4.K.Vaijiravelu

5.K.Vengappa

6.K.Kumaravelu

.... Respondents

Arbitration Original Petition filed under Section 11(5) of the Arbitration and Conciliation Act, 1996, praying to appoint an Arbitral Tribunal to decide the disputes between the petitioners and the respondents arising out of the lease deed dated 31.08.2022.

For Petitioners : Mr.C.Jagadish

For Respondents : Mr.P.Nagaraju



Arbitration Original Petition (Com.Div) No.16 of 2026

Arbitration Application No.6 of 2026

1.P.Vijaya Janarthanan

2.M.Divya Ruban

.... Applicants

Vs.

1.Sri Devi Karumari Amman Thirai Arangam,
represented by its Partners
(i) R.Sudhakar (ii) Radhika (iii) K.Vaijiravelu
(iv) K.Vengappa (v) K.Kumaravelu
Having office at No.71/2, Yadhavaal Street,
Virugambakkam, Chennai – 600 092.

2.R.Sudhakar

3.Radhika

4.K.Vaijiravelu

5.K.Vengappa

6.K.Kumaravelu

.... Respondents

Arbitration Application filed under Order XIV Rule 8 of Original Side Rules read with Section 9(1)(ii)(c) of the Arbitration and Conciliation Act, 1996, praying to direct the respondents to furnish security for the claim amount of a sum of Rs.5,12,19,634/- together with interest at the rate of 24% per annum within a time to be fixed by this Court without fail; failing which this Court may be pleased to attach the property owned by the respondents and more fully described in the accompanying Judge's summons pending adjudication of the disputes by the Arbitral Tribunal to be appointed.

For Applicants : Mr.C.Jagadish

For Respondents : Mr.P.Nagaraju

COMMON ORDER

Arbitration Application No.6 of 2026 has been filed under Section 9 of the Arbitration and Conciliation Act, 1996 [for brevity 'the Act'] to

direct the respondents to furnish security for the claim amount together



with interest and on failure to attach the property owned by the respondents more fully described in the Judge's summons pending adjudication of the disputes by the Arbitral Tribunal.

2. Arbitration Original Petition (Com.Div) No.16 of 2026 has been filed under Section 11 of the Act for appointment of an Arbitrator to decide the dispute and differences between the petitioners and the respondents arising out of the lease deed dated 31.08.2022.

3. The case of the petitioners is that the respondents approached the petitioners and requested to take on lease the subject theatre premises. A lease agreement dated 31.08.2022 was entered into between the parties.

4. Dispute arose between the parties and the petitioners are claiming a sum of Rs.5,12,00,000/- from the respondents along with interest. The trigger notice was also issued under Section 21 of the Act on 06.08.2025 for appointment of sole arbitrator. On receipt of the same, a reply was given by respondents on 20.08.2025 denying the claim made by the petitioners. It is under these circumstances, the present application and petition have been filed.



5. Heard learned counsel for petitioners and learned counsel for respondents.

6. Learned counsel for respondents denied the claim made by petitioners.

7. Learned counsel for petitioners submitted that the respondents must be directed not to lease the property to any third party since it will adversely affect the interest of the petitioners.

8. In the considered view of this Court, learned counsel appearing on either side consented for appointment of a sole arbitrator to refer the dispute. In view of the same, the application filed under Section 9 of the Act can be placed before the sole arbitrator under Section 17 of the Act and the same can be dealt with on its own merits and in accordance with law after affording opportunity to both parties.

9. There is a valid agreement between the parties in line with Section 7 of the Act and it contains an arbitration clause. Therefore, this Court is inclined to appoint a sole arbitrator.



10. In view of the above, this Court appoints Mr. Justice N.Authinathan, Former Judge, High Court of Madras, Flat No.37, A-Block, Lakshmi Nivas (Opp. To Rajarathinam Stadium), Rukmani Lakshmipathy Salai, Egmore, Chennai – 600 008, E-mail: justiceauthinathan@gmail.com [Mobile No.94455 08822] as the sole Arbitrator and the Hon'ble 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 Hon'ble 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 and application are disposed of.

23.02.2026

Index:yes/no
Speaking Order/Non-speaking order
NCC:yes/no
gm



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N.ANAND VENKATESH, J.

gm

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