

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-06-2026

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THE HON'BLE MR JUSTICE ABDUL QUDDHOSE

**REV.APLO Nos. 14 to 16 of 2026 in ARB O.P(COM.DIV.)
Nos.75 to 77 OF 2025 A NOs. 1984, 1986 & 1988 OF 2026**

1. M/s.Maavadi Soft Tech Ventures (India) Pvt.
Ltd.,Rep. by its Authorised Signatory,
M.Priyanka

2. True Value Homes India Private Limited
Rep by its authorised signatory,
M.Priyanka

3. N. Ravichandran

.. Applicants in all cases

Vs

M/s.Anir Tech park Private Limited
Represented by its Director Mr.P.Kannadasan

.. Respondents in all cases

REV.APLO No. 14 of 2026

To review the order dated 22.04.2025 passed in Arb.O.P.
(Com.Div) No.75 of 2025.

REV.APLO No. 15 of 2026

To review the order dated 22.04.2025 passed in Arb.O.P.
(Com.Div) No.76 of 2025.

REV.APLO No. 16 of 2026

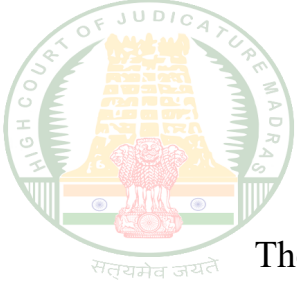
To review the order dated 22.04.2025 passed in Arb.O.P.
(Com.Div) No.77 of 2025.

For Applicants:

Ms.Aparajitha Vishwanath

For Respondent(s):

Mr.P.R.Raman, Sr.Counsel
for Ms.Abitha Banu



COMMON ORDER

The issue that arises for consideration in these review applications is whether an order passed by this Court under Section 11 of the Arbitration and Conciliation Act, 1996 appointing an Arbitrator can be reviewed through review applications.

2. These review applications have been filed pursuant to the permission granted by the Hon'ble Supreme Court to the applicants by its order dated 16.02.2026 in SLP (Civil) Diary No.8147 of 2026. In the said Special Leave Petition (SLP), the applicants sought to withdraw the SLP with liberty to approach the High Court and file the review applications. The permission sought for by the applicants was granted by the Hon'ble Supreme Court in the aforesaid order dated 16.02.2026. Based on the said permission granted by the Hon'ble Supreme Court, these review applications have been filed.

3. By order dated 22.04.2025 in the petitions filed under Section 11 of the Arbitration and Conciliation Act, 1996 (in short "the Act"), in Arb.O.P. (Com.Div.) Nos.75 to 77 of 2025, this Court, based on the joint endorsement made by both the counsels, on instructions, which is recorded in the said order, had appointed Hon'ble Dr. Justice S. Muralidhar, former Chief Justice of Orissa High Court, as the Sole Arbitrator to adjudicate the dispute between the parties.



The common order dated 22.04.2025 passed by this Court in the Section 11 petitions is self-explanatory. The same is also reproduced hereunder:

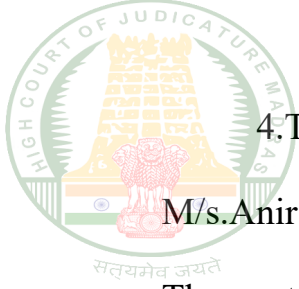
‘(a)In view of the joint endorsement made by both the counsels on instructions, this Court appoints Hon'ble Dr.Justice S.Muralidhar, Former Chief Justice of Orissa High Court, having address at Ground Floor, 15, Sadhna Enclave, Panchsheel Park, New Delhi 110 017, Mobile No. 98727 27986 as the Sole Arbitrator to adjudicate the dispute between the petitioner and the respondents, arising out of the Share Purchase Agreement dated 31.05.2017 and Memorandum of Undertaking dated 04.07.2016 and 05.07.2016, on merits and in accordance with law;

(b)The Arbitrator shall be paid his remuneration/fees in accordance with the 4th schedule of the Arbitration and Conciliation Act, 1996;

(c)Both the parties shall equally share the Arbitrator's fees;

(d)The Arbitrator shall conduct the arbitration in accordance with the provisions of the Arbitration and Conciliation Act, 1996 and shall complete the arbitration within the specified time as prescribed under the said Act.

Consequently, connected applications are closed. Liberty is granted to both the parties to file applications under Section 17 of the Arbitration and Conciliation Act, 1996 before the Arbitrator in case they desire to seek interim protection pending arbitration. The closure of the applications i.e. O.A. No.336 of 2019 & A.Nos.2534 & 2535 of 2019 by this Court will not have any bearing, while the Arbitrator decides the Section 17 applications if filed by any of the parties to the dispute. No costs.’.



4.The applicants were the respondents in the Section 11 petitions filed by M/s.Anir Tech Park Private Limited, represented by its Director P.Kannadasan.

The contention of the applicants in these review applications is that they never consented to allow the Section 11 petitions filed by M/s.Anir Tech Park Private Limited unconditionally as the said petitions according to them have been filed beyond the period of limitation. On that ground, the applicants seek to review the earlier order dated 22.04.2025 passed by this Court under Section 11 of the Act. Subsequent to the said order dated 22.04.2025, there are subsequent developments in the matter. The applicants, had infact, approached the Arbitrator appointed by this Court and had participated in the arbitration proceedings and had also filed an application under Section 16 of the Act questioning the jurisdiction of the Arbitral Tribunal and subsequently claiming that the section 11 petitions filed by M/s.Anir Tech Park Private Limited is barred by limitation.

5.As seen from the documents filed along with these review applications, several procedural orders were passed by the Tribunal from 14.06.2025 to 25.04.2026. By order dated 17.12.2025, the Sole Arbitrator appointed by this Court in an application filed by the review applicants under Section 16 of the Act, had also dismissed the said application. Only thereafter, the applicants herein approached the Hon'ble Supreme Court by filing SLP (Civil) Diary No.8147 of 2026. By order dated 16.02.2026, the Hon'ble Supreme Court



dismissed the aforesaid SLP as withdrawn by permitting the applicants to withdraw the SLP and file the review applications if so advised before this Court. The order of the Hon'ble Supreme Court dated 16.02.2026 passed in SLP. No.8147 of 2026 is re-produced hereunder:

'1.After some arguments, Mr.Dhruv Mehta, learned Senior Counsel appearing for the petitioners seeks to withdraw the special leave petition(s) with liberty for approaching the High Court to file a review petition.

2.Permission as sought for is granted.

3.The Special Leave Petitions are dismissed as withdrawn reserving the liberty prayed for and if so advised, permission to file Special Leave Petition against the main order as well as the review order.'

6.The Arbitration and Conciliation Act, 1996 (hereinafter referred to as 'the Act') is a self contained code and is a special enactment. A party who is seeking a relief in respect of an arbitration, which is governed by the Arbitration and Conciliation Act, 1996, can seek relief only if the same is maintainable as per the provisions of the Arbitration and Conciliation Act, 1996. The Arbitration and Conciliation Act, 1996 has not granted the High Court the power to review its order passed under Section 11 of the Arbitration and Conciliation Act appointing an Arbitrator. The High Court appointing the Arbitrator under Section 11 of the Act also becomes "*Functus officio*" on the appointment of the arbitrator and the said appointment cannot be invalidated by the same Court which passed the order. The review jurisdiction under Order 47

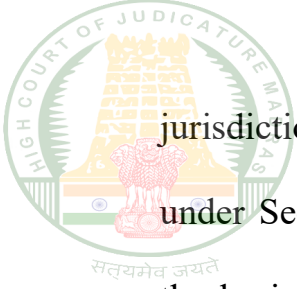


Rule 1 of C.P.C. has no applicability to an order passed by the High Court appointing an Arbitrator under Section 11 of the Arbitration and Conciliation Act, 1996. The Arbitration and Conciliation Act, 1996 is a legislation passed for early disposal of all arbitral disputes.

7.The applicants, having participated in the arbitral proceedings before the Sole Arbitrator as seen from the various procedural orders passed by him as well as the final order passed by the Arbitrator under Section 16 of the Act dismissing the application, the question of invalidating the earlier order passed by this Court on 22.04.2025 appointing an Arbitrator under Section 11 of the Arbitration and Conciliation Act, 1996 will never arise.

8.The applicants have also chosen to approach the Hon'ble Supreme Court only after the dismissal of the applicants' application filed under Section 16 by the Arbitrator on 17.12.2025, whereas the common order passed by this Court appointing an Arbitrator under Section 11 of the Arbitration and Conciliation Act, 1996 was passed as early as on 22.04.2025 itself.

9.The Hon'ble Supreme Court in the case of ***Hindustan Construction Company Ltd. vs. Bihar Rajya Pul Nirman Nigam Limited and others in its judgment dated 28.11.2025 rendered in SLP (C) No.4211 of 2025 (2025 INSC 1365)*** categorically held that the High Courts cannot exercise review



jurisdiction to retrospectively invalidate their own orders appointing Arbitrators under Section 11(6) of the Arbitration and Conciliation Act, 1996, merely on the basis of a subsequent interpretation of a similar clause in another matter.

The Hon'ble Supreme Court also emphasised in the aforesaid decision that once parties have actively participated in the arbitral proceedings, conducted hearings and jointly sought extensions under Section 29(A), they are barred from challenging the existence or validity of the arbitration agreement.

10. In the case on hand as well, pursuant to the appointment of an Arbitrator by this Court under Section 11 of the Arbitration and Conciliation Act, 1996, arbitration proceedings were initiated and thereafter, several hearings were conducted before the Arbitrator as seen from the procedural orders passed by the Sole Arbitrator. Infact, the applicants also filed an application under Section 16 of the Arbitration and Conciliation Act, 1996, questioning the jurisdiction of the arbitral tribunal and the same came to be dismissed by the Sole Arbitrator by his order dated 17.12.2025. If such sort of review applications seeking to review the earlier orders passed by this Court under Section 11 of the Act appointing an Arbitrator are entertained, there will be no finality of any decision appointing an Arbitrator which will defeat the very legislative object of the Arbitration and Conciliation Act, i.e. minimal judicial intervention. The conduct of the applicants as seen from the various procedural orders passed by the Arbitrator and the order dated 17.12.2025 passed by the



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Arbitrator dismissing the application filed by the applicant under Section 16 of the Act will also go to show that the applicants have taken totally a different stand than what was taken before the Arbitrator through these Review Applications filed seeking to review the earlier order passed by this court on 22.04.2025 in appointing an Arbitrator under Section 11 of the Act. Having filed an application under Section 11 of the Act before the Arbitrator and having given liberty by this Court by its order dated 22.04.2025 to file an application under Section 17 of the Act based on an endorsement made by both the counsels, the question of reviewing the earlier order passed by this Court on 22.04.2025 even if the same is found to be maintainable, will not arise.

11.If the order passed by this Court on 22.04.2025 appointing an Arbitrator under Section 11 of the Act is allowed to be reviewed as prayed for by the applicants in these applications, it would substantially alter the order passed by this Court and in which event, the procedural orders passed by the Arbitrator as well as the order dated 17.12.2025 passed by the Arbitrator dismissing the applications filed by the applications under Section 16 of the Act will become a nullity, thereby indirectly scuttling the provisions of the Act, which is not the object of the Act, namely, “minimum judicial intervention”

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12.For the foregoing reasons, this Court holds that these review



applications are not maintainable and have to be summarily dismissed.

Accordingly, these review applications are dismissed. Consequently, connected applications are closed.

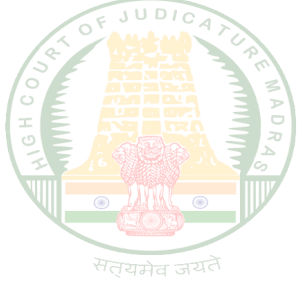
08-06-2026

RKM/vga

Index: Yes/No

Speaking/Non speaking order

Neutral Citation: Yes/No



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ABDUL QUDDHOSE J.

RKM/vga

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