



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-06-2026

CORAM

THE HON'BLE MR.JUSTICE K.KUMARESH BABU

Arb O.P(COM.DIV.) No. 53 of 2026

Five Star Business Finance Limited
Rep. by its Legal Officer,
Mr.Madhusandhan Someswaran,

Registered Office at New No.27,
Old No.4, Taylors road,
Kilpauk,
Chennai - 600 010.

..Petitioner(s)

Vs

1. Thambishetti Shiva Kiran
New No 27 Old No 4 Taylors Road Kilpauk
ChennaiNo.1-24/5 NTR Colony Nandpet
Mandal,
Nizamabad,
Telangana - 503 213.
2. Battula Prasad
No.1-24/5, NTR Colony Nandpet Mandal,
Nizamabad,
Telangana - 503 213.
3. Battula Nagalaxmi
No.1-24/5, NTR Colony Nandpet Mandal,
Nizamabad,
Telangana - 503 213.
4. Thammishetty Ravishankar
No.1-24/5, NTR Colony Nandpet Mandal,
Nizamabad,
Telangana - 503 213.



5. Devarla Balayesu
No.1-24/5, NTR Colony Nandpet Mandal,
Nizamabad,
Telangana - 503 213.

..Respondent(s)

Prayer: To appoint an Arbitrator(s) to decide the disputes and differences between the Petitioner and Respondent in terms of Loan Agreement dated 29.07.2022.

For Petitioner : Mr.S.Nataraj

For Respondents : Set exparte

ORDER

This Arbitration Original Petition has been filed under Section 11(5) of the Arbitration and Conciliation Act, 1996 to appoint an Arbitrator to decide the disputes and differences between the petitioner and the respondents in terms of Loan Agreement dated 29.07.2022.

2. Heard Mr.S.Nataraj, learned counsel for the petitioner.

3. In spite of notice having been served upon the respondents through Court and their names are reflected in the cause list, they have not chosen to appear either in person or through counsel. Today, when the matter is taken up for hearing, there is no representation on the side of the respondents nor through



their counsel before this court. Hence, they were called absent and are set ex-parte.

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4. A notice under Section 21 of the Arbitration and Conciliation Act, 1996 has been issued by the petitioner on 11.03.2025. In spite of the same, the respondents have not chosen to respond. From a reading of the Loan Agreement dated 29.07.2022 entered to between the petitioner and the respondents, it could be seen that the parties have agreed to resolve the disputes by appointing an Arbitrator.

5. In view of the Loan Agreement and considering the nature of claim, this Court deems it appropriate to appoint an Arbitrator. Accordingly, **Ms.S.Rekha**, Advocate, (Mobile No.98404 71694) **having office at No.893, Munusamy Salai, K.K.Nagar, Chennai - 78** and having **chamber at No.325, New Additional Law Chambers, High Court, Chennai 104**, is appointed as Sole Arbitrator to enter upon the reference and resolve the disputes between the petitioner and the respondents.

6. The learned Sole Arbitrator is entitled to fix her fees as per the Schedule-IV of the Act. This Court further requests the learned Sole Arbitrator to endeavour to decide the dispute as expeditiously as possible.



Accordingly, this Arbitration Original Petition is ordered. No costs.

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Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

GBA

To

1. The Madras High Court Arbitration Centre,
Madras.



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K.KUMARESH BABU, J.

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