



Arbitration Original Petition (Com.Div) No.563 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.02.2026

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Arbitration Original Petition (Com.Div) No.563 of 2025

Tata Capital Limited,
By its Associate Legal Remedial,
R.Kamalakaran,
Having its office at
1st Floor, Centennial Square,
6A-Dr.Ambedkar Salai,
Kodambakkam, Chennai – 600 024.

.... Petitioner

Vs.

Taxblock India Private Limited,
3rd Floor, 301 Epicenter,
Near Shoppers Shop,
Pune-Mumbai Road,
Wakdewadi, Shivaji Nagar,
Pune, Maharashtra – 411 005.

.... Respondent

Arbitration Original Petition filed under Section 11(6) of the Arbitration and Conciliation Act, 1996, praying to appoint a Sole Arbitrator to adjudicate upon the difference and disputes between the parties under the said agreement dated 21.02.2024 in respect of contract bearing No.TCFBL0631000012703628.

For Petitioner : Mr.N.K.Vanan

ORDER

This petition has been filed under Section 11 of the Arbitration and Conciliation Act, 1996 [for brevity 'the Act'] for appointment of an Arbitrator to decide the dispute and differences



between the petitioner and the respondent in terms of the Loan Agreement dated 21.02.2024.

2. When the matter came up for hearing on 16.09.2025, this Court passed the following order:

“This petition has been filed for appointment of a sole Arbitrator for adjudicating the differences/disputes between the petitioner and the respondent under agreement dated 21.02.2024.

2. The respondent took a business loan from the petitioner to the tune of Rs.40 lakhs. This loan is supposed to be repaid back in 36 monthly instalments starting from 05.04.2024 and ending on 05.03.2027.

3. The respondent committed default in repayment of the loan amount. Hence, the loan recall notice was issued on 09.05.2024. The trigger notice under Section 21 of the Arbitration and Conciliation Act, 1996 was issued on 16.05.2025.

4. The agreement provides for appointment of an Arbitrator in Clause No.9.

5. Notice to the respondent returnable by 13.10.2025. Private notice is also permitted.

Post on 13.10.2025.”

3. Thereafter, the matter was listed for hearing on 27.10.2025 and 08.12.2025 and this Court passed the following order:

27.10.2025:

“Learned counsel for the petitioner submitted that the private notice sent to the respondent has been returned with an endorsement “left”. Affidavit of service has also been filed.



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2. In view of the above, there shall be a direction to learned counsel for petitioner to effect notice to respondent through paper publication in a widely published newspaper at Maharashtra. The paper publication shall be effected on or before 07.11.2025 and notice shall be returnable by 17.11.2025.

Post on 17.11.2025.”

08.12.2025

“Affidavit of service has been filed and it is seen that notice sent to respondent has been returned with an endorsement ‘left’.

2. In view of the above, there shall be a direction to learned counsel for petitioner to effect notice to respondent through paper publication in a widely published newspaper at Maharashtra. The paper publication shall be effected on or before 19.12.2025 and notice shall be returnable by 12.01.2026.

Post on 12.01.2026.”

4. Paper publication was effected on 09.01.2026 and affidavit of service has also been filed. The name of the respondent has also been printed in the cause list. However, there is no representation on the side of respondent either in person or through a pleader. This Court finds that the parties are governed by a loan agreement dated 21.02.2024, which provides for referring the disputes to the Arbitrator in Clause 9 of the agreement.

5. In view of the above, this Court appoints Ms.V.Pushpa, Advocate, No.16, Old No.27, Arundale Beach Road, Kalakshetra Colony,



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N.ANAND VENKATESH, J.

gm

Besant Nagar, Chennai – 600 090, E-mail:pushpaadvocate@gmail.com
[Mobile No.94444 03567] 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.

16.02.2026

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

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