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Arbitration Original Petition (Com.Div) No.695 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.695 of 2025

- 1.G.Masilamani
- 2.G.Balasubramani
- 3.G.Srinivasan
- 4.G.Moorthy
- 5.G.Manoharan

.... Petitioners

Vs.

- 1.M/s.GTL Infrastructure Ltd.,
(Formerly known as Chennai
Network Infrastructure Ltd.),
Registered Office: Global Vision Electronics,
Southern II, MIDC TTC Industrial Area,
Mahape, Navi Mumbai – 400 710.
Maharashtra, India.

- 2.M/s.GTL Infrastructure Ltd.,
(Formerly known as Chennai
Network Infrastructure Ltd.),
Corporate Office:
No.412, Jenma Boomi Chambers,
No.29, Walchand, Hirachand Marg,
Ballad Estate, Mumbai – 400 038.

- 3.The Manager,
M/s.GTL Infrastructure Ltd.,
(Formerly known as Chennai
Network Infrastructure Ltd.),
City Center, 3rd Floor,
New No.232, Old No.186,
Purasaiwakkam High Road,
Kilpauk, Chennai – 600 010.

.... Respondents



Arbitration Original Petition (Com.Div) No.695 of 2025

Arbitration Original Petition filed under Section 11(4) of the Arbitration and Conciliation Act, 1996, praying to appoint an Arbitrator to proceed with and adjudicate the issues arose between the petitioners and respondents in respect of lease agreement dated 04.04.2016 by specifically enforcing the terms and conditions of the said agreement.

For Petitioner : Mr.P.Vasanth

For Respondents : Mr.S.Dhakshnamoorthy

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 petitioners and the respondents in terms of the Lease Agreement dated 04.04.2016.

2. Heard learned counsel on either side.

3. It is seen that there is a valid agreement between the parties and it contains an arbitration clause and accordingly, when the matter came up for hearing on 12.12.2025, this Court passed the following order:

“This petition has been filed under Section 11 of the Arbitration and Conciliation Act, 1996 [hereinafter referred to as the Act] to appoint an arbitrator to adjudicate the issues arose between the petitioners and the respondents in respect of the Lease Agreement 04.04.2016.



2. The agreement provides for referring the dispute for Arbitration under clause 19 and the same is extracted hereunder:-

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ARTICLE 19: ARBITRATION

19. Any dispute or claim between the parties hereto arising out of or relating to this agreement, or its implementations and / or its effect, or the breach, termination, due to efflux of time or otherwise or invalidity thereof, either during its subsistence or after its termination, shall be referred to the arbitration of a sole arbitrator in accordance with the provisions of Arbitration and Reconciliation Act 1996. The Arbitration shall be held at Chennai.

3. The trigger notice under Section 21 of the Act was issued on 14.11.2024 and the same has also been received by the respondent. Since there was no response, the present petition has been filed before this Court.

4. Notice to the respondents returnable by 27.01.2026. Private notice is also permitted.

5. Post this case for hearing on 27.01.2026.”

4. Learned counsel for respondents submitted that the nature of relief sought for by the petitioner cannot be granted by the sole arbitrator. Therefore, he is questioning the very arbitrability of the dispute between the parties.

5. Considering the nature of dispute, it is not necessary for this Court to go into this issue. If the respondents are questioning the jurisdiction as well as the arbitrability of the dispute, the same can always



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N.ANAND VENKATESH, J.

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be raised before the sole arbitrator under Section 16 of the Act. Hence, it is left open to both sides to raise all the issues before the sole arbitrator.

6. In view of the above, this Court appoints Hon'ble Dr.Justice R.N.Manjula, Former Judge, High Court of Madras, Vedhamayur, 32, Kamaraj Nagar, 2nd West Street, Thiruvanmiyur, Chennai – 600 041 [Mobile No.99407 90290] 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 is disposed of.

16.02.2026

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