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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-01-2026

CORAM

THE HONOURABLE Mr. JUSTICE N. ANAND VENKATESH

Arb O.P(COM.DIV.) No. 703 of 2025

S.Sudha

Proprietor M/s.J.S.Store

5-62/3, Market Road, Marthandam

Kanyakumari District - 629 165

Petitioner(s)

Vs

M/s.MI Lifestyle Marketing Global Pvt. Ltd.

(formerly M/s.Rasa Marketing Pvt. Ltd.)

Rep. by its Director Mr.K.Sathayanarayanan

Lanco House 2nd Floor, 25, G.N.Chetty Road

T.Nagar, Chennai - 600 017

Respondent(s)

PRAYER

To appoint a sole independent Arbitrator to arbitrate the disputes between the petitioner and the Respondent as per the Provisions of the Arbitration and Conciliation Act 1996.

For Petitioner(s): Mr.S.Thanka Sivan

For Respondent(s): Mr.M.Rajavelu

ORDER

When this petition came up for hearing on 17.11.2025, this Court passed the following order:

“This petition has been filed under Section 11 (6)(a) & (c) of the Arbitration and Conciliation Act, 1996 [hereinafter referred to as 'the Act'] to appoint an arbitrator to resolve the dispute arising out of the E-Agreement dated 27.10.2016.



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

“IV)ARBITRATION

Any dispute, claim or controversy arising out of or relating to this agreement or the breach, termination, enforcement, interpretation or validity thereof, including determination of the scope or applicability of this agreement to arbitrate, shall be determined by arbitration in Chennai in accordance with the Arbitration and Conciliation Act of 1996 or any modification or reenactment for the time being in force before a single arbitrator to be appointed by IndiaShoppe. The language of arbitration shall be English. The award of the arbitrator shall be final and binding on the Parties.”

3. The trigger notice under Section 21 of the Act was issued on 19.06.2025 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 respondent returnable by 15.12.2025. Private notice is also permitted. Post this petition for hearing on 15.12.2025.”

2.After service of notice, the respondent is represented through counsel and counter affidavit has been filed. The respondent has denied the entire liability and the claim made by the petitioner.

3.Heard both sides.

4.In the considered view of this Court, this Court cannot go into the factual disputes between the parties. This Court must only see if there is a valid agreement under Section 7 of the Arbitration and Conciliation Act, 1996, and the agreement contains an arbitration clause. Both these requirements are



satisfied. Hence, all the other issues can be raised only before the sole Arbitrator appointed by this Court and the same will be considered on its own merits and in accordance with law.

5. In view of the same, this Court is inclined to appoint an arbitrator and accordingly, ***Mr. Mukunth.S, Senior Advocate, residing at No.M6/91, Sri Rams Mathrika, 28th Cross Street, Indira Nagar, Adyar, Chennai - 600 020 (Mobile No.98940 30305), is appointed as sole Arbitrator*** and the sole Arbitrator is requested to adjudicate the arbitral disputes that had arisen between the parties and render an arbitral award by holding sittings in the Madras High Court Arbitration Centre under the aegis of this Court as per Madras High Court Arbitration Proceedings Rules, 2017 and fee of the 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.

27-01-2026

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N. ANAND VENKATESH, J.

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