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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-02-2026

CORAM

THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

Arb O.P(COM.DIV.) No. 805 of 2025

1. Five Star Business Finance Limited
Rep. by its Legal officer,
Mr.MadhusandanSomeswaran,
Registered Office at New No.27,
Old No.4, Taylors road, Kilpauk,
Chennai - 600 010.

Petitioner(s)

Vs

1. Pallavi Raparathi
2.Raparathi Shivaraju
3.Raparathi Pochaiah

Respondent(s)

PRAYER Petition filed under Section 11(5) of the Arbitration and Conciliation Act, 1996, praying to appoint an Arbitrator(s) to decide the disputes and differences between the petitioner and Respondent in terms of Loan Agreement dated 18.03.2021 and 01.09.2021.

For Petitioner(s): Mr.S.Nataraj

ORDER

This petition has been filed under Section 11(6) of the Arbitration and Conciliation Act, 1996 (for the sake of brevity, hereinafter referred to as 'the



Act') for appointment of a Sole Arbitrator to adjudicate the disputes between the Petitioner and the Respondents in terms of Loan Agreement dated 18.03.2021 and 01.09.2021.

2. When the matter came up for admission on 02.01.2026, this Court passed the following order:

This petition has been filed under Section 11 (5) of the Arbitration and Conciliation Act, 1996 [hereinafter referred to as the Act] to appoint an arbitrator to decide the disputes and differences between the petitioner and the respondent in terms of the Loan Agreement dated 18.03.2021 and 01.09.2021.

2. The agreement provides for referring the dispute for Arbitration under clause 10 and the same is extracted hereunder:-

Article 10: ARBITRATION

All disputes, differences, and / or claims arising out of this Agreement, whether during its subsistence or thereafter shall be settled by “Arbitration” in accordance with the provisions of the “Arbitration and Conciliation Act 1996” (Act 26 of 1996) or any other statutory amendments thereof and shall be referred to the Sole Arbitration of an “Arbitrator”, appointed by the Managing Director of FSBF (or any other person as authorised by the Managing Director of FSBF) and such appointment shall be deemed to be the procedure, agreed upon by all the parties to this agreement. It is a term of this agreement that in the event of such an Arbitrator to whom the matter has been referred to originally dies or being unable or unwilling to act for any reason, then in such event, the Managing Director of FSBF (or any other person as authorised by the Managing Director of



FSBF) shall appoint another person to act as the Arbitrator. Such person, when appointed as Arbitrator, shall be entitled to proceed with the reference, from the stage at which it was left by his predecessor. The venue of the Arbitration proceedings shall be in Chennai.

The Borrower(s) do hereby appoint FSBF, acting through any of its officers or representatives to submit for arbitration in respect of any dispute or matter relating to or in anywise touching the affairs of the Property / Properties or the Loan / Loans. The Borrower(s) also undertake to acknowledge that the decision of the arbitrator shall be final.

3. The trigger notice under Section 21 of the Act was issued on 12.02.2025 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 the respondents returnable by 02.02.2026. Private notice is also permitted.

5. Post this case for hearing on 02.02.2026.

3.The respondents have been served with notice and the names of the respondents have also printed in the cause list. There is no appearance either in person or through counsel.

4.Heard the learned counsel for the petitioner and carefully perused the materials available on record.



5. In the considered view of this Court, there is a valid agreement between the parties in line with Section 7 of the Act and it contains an arbitration clause.

Therefore, this Court is inclined to appoint a Sole Arbitrator. Accordingly,

Mr.R.Vishnu, Advocate, No.6/39, Salai Street, Mylapore, Chennai - 600 004.

[Mobile: 9841067395] is appointed as sole Arbitrator. The sole Arbitrator is requested to enter upon reference, adjudicate upon arbitrable disputes that have arisen between the parties. The Arbitrator shall hold 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.

6. This petition is disposed of in the above terms. No Costs.

09-02-2026

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

ssr



To

1. Mr. R. Vishnu,
Advocate,
No. 6/39, Salai Street,
Mylapore, Chennai - 600 004.
Mobile: 9841067395

2. The Director
Tamil Nadu Mediation and Conciliation
Centre-cum-Ex-Officio Member
Madras High Court Arbitration Centre
Chennai - 104.



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N.ANAND VENKATESH J.

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