



WEB COPY



Arbitration Original Petition (Com.Div.) No.609 of 2025 and
Arbitration Application No.1619 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.02.2026

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Arbitration Original Petition (Com.Div.) No.609 of 2025
and
Arbitration Application No.1619 of 2025

Arbitration Original Petition (Com.Div.) No.609 of 2025

Bodam Govardhan Reddy

.... Petitioner

Vs.

M/s.Hatsun Agro Products Ltd.,
represented by its Authorized Signatory
and Managing Director,
having registered office at
D.No.41, O.No.49, First Floor,
Janakiram Colony Main Road,
Janakiram Colony, Arumbakkam,
Chennai – 600 106.

.... Respondent

PRAYER

Arbitration Original Petition (Com.Div.) filed under Section 11(6) of the Arbitration and Conciliation Act, 1996, seeking to appoint a Sole Arbitrator to decide the commercial dispute between the petitioner and the respondent in terms of the dealership agreement dated 11.09.2023 and as provided clause 15 of the dealership agreement, appointing an arbitrator under the provisions of the Indian Arbitration and Conciliation Act, 1996 and law laid down by the Supreme Court.



WEB COPY



Arbitration Original Petition (Com.Div.) No.609 of 2025 and
Arbitration Application No.1619 of 2025

For Petitioner : Mr.V.Kasiviswanathan

For Respondent : Mr.N.Surya Senthil
Mr.Shubham Mathew George

Arbitration Application No.1619 of 2025

M/s.Hatsun Agro Products Ltd.,
represented by its Authorized Signatory
Mr.Syed Ibramhim,
Having registered office at
No.41 (49), Janakiram Colony Main Road,
Janakiram Colony, Arumbakkam,
Chennai – 600 106.
and as per the agreement at
No.1/20A, Rajiv Gandhi Salai (OMR),
Karrapakkam, Chennai – 600 097.

.... Applicant

Vs.

Bodam Govardhan Reddy

.... Respondent

PRAYER

Arbitration Application filed under Order XIV Rule 8 of the O.S.Rules r/w Section 9(a)(b) of the Arbitration and Conciliation Act, 1996, praying to appoint an Advocate Commissioner to retrieve the assets mentioned in Schedule A and possession of the premises mentioned in Schedule B under the illegal custody of the respondent and hand over the same to the applicant within a time frame fixed by this Court.

For Applicant : Mr.B.Leelesh Sundaram
for M/s.Nathan and Associates
For Respondent : Mr.V.Kasiviswanathan
Mr.R.Prakash
Mr.I.Anbazhagan
Mr.R.M.Murugan



Arbitration Original Petition (Com.Div.) No.609 of 2025 and
Arbitration Application No.1619 of 2025

COMMON ORDER

WEB COPY

On 03.02.2026, common order was passed in Arbitration Original Petition (Com.Div.) No.609 of 2025 and Arbitration Application Nos.1619, 1620, 1621, 1622, 1623 & 1624 of 2025.

2. Today, these matters have been listed under the caption 'for being mentioned' on the ground that separate orders will have to be passed insofar as Arbitration Application Nos.1620, 1621, 1622, 1623 & 1624 of 2025 are concerned since in these applications in spite of service of notice on the respondents, none appeared for them. The only matter contested was Arbitration Original Petition (Com.Div.) No.609 of 2025 and Arbitration Application No.1619 of 2025.

In view of the above submission made, common order passed on 03.02.2026 will confine itself only to Arbitration Original Petition (Com.Div.) No.609 of 2025 and Arbitration Application No.1619 of 2025. Insofar as Arbitration Application Nos.1620, 1621, 1622, 1623 & 1624 of 2025 are concerned, separate orders are passed.

11.02.2026

gm



WEB COPY



Arbitration Original Petition (Com.Div.) No.609 of 2025 and
Arbitration Application No.1619 of 2025

N.ANAND VENKATESH, J

gm

Arbitration Original Petition (Com.Div.) No.609 of 2025
and
Arbitration Application No.1619 of 2025

11.02.2026

(1/6)



WEB COPY



Arbitration Original Petition (Com.Div.) No.609 of 2025 and
Arbitration Application No.1619 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.02.2026

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Arbitration Original Petition (Com.Div.) No.609 of 2025
and
Arbitration Application Nos.1619, 1620, 1621, 1622, 1623
& 1624 of 2025

Arbitration Original Petition (Com.Div.) No.609 of 2025

Bodam Govardhan Reddy

.... Petitioner

Vs.

M/s.Hatsun Agro Products Ltd.,
represented by its Authorized Signatory
and Managing Director,
having registered office at
D.No.41, O.No.49, First Floor,
Janakiram Colony Main Road,
Janakiram Colony, Arumbakkam,
Chennai – 600 106.

.... Respondent

PRAYER

Arbitration Original Petition (Com.Div.) filed under Section 11(6) of the Arbitration and Conciliation Act, 1996, seeking to appoint a Sole Arbitrator to decide the commercial dispute between the petitioner and the respondent in terms of the dealership agreement dated 11.09.2023 and as provided clause 15 of the dealership agreement, appointing an arbitrator under the provisions of the Indian Arbitration and Conciliation Act, 1996 and law laid down by the Supreme Court.

For Petitioner : Mr.V.Kasiviswanathan

For Respondent : Mr.N.Surya Senthil
Mr.Shubham Mathew George



Arbitration Original Petition (Com.Div.) No.609 of 2025 and
Arbitration Application No.1619 of 2025

Arbitration Application No.1619 of 2025

M/s.Hatsun Agro Products Ltd.,
represented by its Authorized Signatory
Mr.Syed Ibramhim,
Having registered office at
No.41 (49), Janakiram Colony Main Road,
Janakiram Colony, Arumbakkam,
Chennai – 600 106.
and as per the agreement at
No.1/20A, Rajiv Gandhi Salai (OMR),
Karrapakkam, Chennai – 600 097.

.... Applicant

Vs.

Bodam Govardhan Reddy

.... Respondent

PRAYER

Arbitration Application filed under Order XIV Rule 8 of the O.S.Rules r/w Section 9(a)(b) of the Arbitration and Conciliation Act, 1996, praying to appoint an Advocate Commissioner to retrieve the assets mentioned in Schedule A and possession of the premises mentioned in Schedule B under the illegal custody of the respondent and hand over the same to the applicant within a time frame fixed by this Court.

Arbitration Application Nos.1620, 1621 & 1622 of 2025

M/s.Hatsun Agro Products Ltd.,
represented by its Authorized Signatory
Mr.S.Syed Irfan,
Having Corporate office at
Plot No.14, TNHB,
TN Housing Board 'A' Road,
Sholinganallur, Chennai – 600 119.

.... Applicant in both applns.

Vs.

Vindoam Raja Kullayappa

....Respondent in Arb.Appln.
No.1620/2025



Arbitration Original Petition (Com.Div.) No.609 of 2025 and
Arbitration Application No.1619 of 2025

M/s.Upaharika Enterprises,
represented by its Proprietor,
Mr.Sudhasatwa Sen,
Having office at
Plot No.B/97, Sector 9,
C.D.A (Bidanaasi),
Cuttack, Odisha – 753 014.

....Respondent in Arb.Appln.
No.1621/2025

C.Varaprasad

....Respondent in Arb.Appln.
No.1622/2025

PRAYER

Arbitration Application filed under Order XIV Rule 8 of the O.S.Rules r/w Section 9(a)(b) of the Arbitration and Conciliation Act, 1996, praying to appoint an Advocate Commissioner to retrieve the assets mentioned in Schedule B and possession of the premises mentioned in Schedule A under the illegal custody of the respondent and hand over the same to the applicant within a time frame fixed by this Court.

Arbitration Application Nos.1623 & 1624 of 2025

M/s.Hatsun Agro Products Ltd.,
represented by its Authorized Signatory
Mr.S.Syed Irfan,
Having Corporate office at
Plot No.14, TNHB,
TN Housing Board 'A' Road,
Sholinganallur, Chennai – 600 119.

.... Applicant in both applns.

Vs.

Allu Ramadevi

....Respondent in Arb.Appln.
No.1623/2025

Kota Sivashanka Reddy

....Respondent in Arb.Appln.
No.1624/2025

PRAYER

Arbitration Application filed under Order XIV Rule 8 of the O.S.Rules r/w Section 9(a)(b) of the Arbitration and Conciliation Act,



Arbitration Original Petition (Com.Div.) No.609 of 2025 and
Arbitration Application No.1619 of 2025

1996, praying to appoint an Advocate Commissioner to retrieve the assets mentioned in Schedule A and handover the possession of the premises mentioned in Schedule B both of which are under the illegal custody of the respondent and hand over the same to the applicant within a time frame fixed by this Court.

For Applicant : Mr.N.Surya Senthil
[in all applns.] Mr.Shubham Mathew George

For Respondents : Mr.V.Kasiviswanathan
[in all applns.] Mr.R.Prakash
Mr.I.Anbazhagan
Mr.R.M.Murugan

COMMON ORDER

These applications have been filed under Section 9 of the Arbitration and Conciliation Act, 1996 [for brevity 'the Act'] to retrieve the assets mentioned in Schedule A and Schedule B of Judges' summons and to hand over the same to the applicant.

2. Arbitration Original Petition (Com.Div.) No.609 of 2025 has been filed by respondent in Arbitration Application No.1619 of 2025 for appointment of a Sole Arbitrator to decide the dispute between the parties arising out of the distribution agreement dated 11.09.2023 and as per clause 15 of the agreement, which provides for an arbitration clause.



WEB COPY

3. The case of the applicant is that they entered into a distribution agreement with the respondents dated 11.09.2023. As per this agreement, the applicant has distributed certain equipments and also supplies milk products to the respondents, which were supposed to be sold by the respondents in their capacity as distributors. The further case of the applicant is that there was disruption in the distribution of milk products and the respondents caused breach of agreement. This resulted in the termination of the agreement during November'2024. Thereafter, the trigger notice was also issued on 01.05.2025. Pursuant to the same, these applications came to be filed before this Court seeking interim reliefs.

4. The specific case of the respondents in these applications is that the applicant is the one, who had committed breach of agreement and all of a sudden, stopped supply of the products from 02.10.2024 onwards without any prior information. Several communications made in this regard did not yield any response. Ultimately, the agreement was also terminated abruptly and a false claim was made on the side of the applicant to the tune of Rs.49,99,108/-.



5. Due to the above conduct on the part of the applicant, the respondents incurred huge losses and therefore, the respondents issued trigger notice under Section 21 of the Act on 22.01.2025 for appointment of an Arbitrator in terms of the Distribution Agreement dated 11.09.2023.

6. Learned counsel for respondents in these applications submitted that the applicant has already taken away all the equipments and the respondents are not able to carry on any business in the premises since the applicant has stopped supply of milk products. Therefore, effectively, the applicant is in control of the equipments as well as the premises where the business was earlier undertaken. In view of the same, it was contended that the applications filed before this Court are without any merits.

7. In the considered view of this Court, the respondents in these applications have taken a very specific stand that they are not continuing the business since the applicant has stopped supplying milk products and that apart, the applicant had taken control of the equipments and the property. In view of such stand taken by the respondents, the same can be recorded and no further orders are required to be passed in these



applications. This leaves this Court only with the petition filed for appointment of Sole Arbitrator under the Distribution Agreement dated 11.09.2023, which provides for an arbitration clause in Clause 15.

8. Both the parties are making claims and counter claims against each other. Therefore, considering the nature of dispute between the parties, this Court appoints Mr.M.K.Kabir, Senior Advocate, 80, Law Chambers, High Court Buildings, Chennai – 104, 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.

9. If both the parties want any further interim protection or interim reliefs, liberty is granted to the parties to move necessary application under Section 17 of the Act before the Sole Arbitrator.



Arbitration Original Petition (Com.Div.) No.609 of 2025 and
Arbitration Application No.1619 of 2025

N.ANAND VENKATESH, J.

WEB COPY

In the result, these applications and the original petition are
disposed of in the above terms.

03.02.2026

Index:yes/no
NCC:yes/no
gm

Arbitration Original Petition (Com.Div.) No.609 of 2025
and
Arbitration Application Nos.1619, 1620, 1621, 1622, 1623
& 1624 of 2025