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IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 09-02-2026**

CORAM

**THE HON'BLE MR JUSTICE N. ANAND VENKATESH**

**Arb O.P(COM.DIV.) No. 663 of 2025**

M/s.Five Star Business Finance Limited  
Regd. Office at  
New No.27 (Old No.4) Taylors Road,  
Kilpauk,  
Chennai - 600 010.  
Represented by its Authorized Signatory,  
Madhusandan Someswaran

..Petitioner(s)

Vs

1. Ashok Bagi  
S/o.Vittal,  
Ward No.3, Saidapur Galli Mudhaol Bagalkot,  
Karnataka - 587313.
2. Saidappa Bagi  
S/o.Vittal,  
Ward No.3, Saidapur Galli Mudhaol Bagalkot,  
Karnataka - 587313.
3. Gunavantavva Bagi  
W/o.Vittal,  
Ward No.3, Saidapur Galli Mudhaol Bagalkot,  
Karnataka - 587313.

..Respondent(s)



**PRAYER:** This petition is filed under Section 11 (5) & (6) of the Arbitration and Conciliation Act, 1996, to appoint a Sole Arbitrator to adjudicate the differences and disputes between the petitioner and the respondents under the loan Agreement dated 01.03.2024 Bearing Reference Number FSKALALONS000005527438.

For Petitioner(s): Mr. P Suresh

### **ORDER**

This petition has been filed to appoint a Sole Arbitrator to adjudicate the differences and disputes between the petitioner and the respondents under the loan Agreement dated 01.03.2024 bearing Reference Number FSKALALONS000005527438.

2. The petitioner extended financial facilities to the respondents. The first respondent is the principal borrower and the second and third respondents are the co-borrowers. Since the respondents committed default, termination notice dated 27.05.2025 was issued and as on 27.05.2025, a sum of Rs.3,32,426.40 is due and payable.



3. In spite of receipt of the trigger notice, there was no response from respondents. Under these circumstances, the present petition came to be filed before this Court.

4. Notices sent to the respondents were returned with the endorsement 'No such person'. Hence, this Court had directed the petitioner to effect service of notice on the respondents through paper publication in a widely circulated newspaper in Karnataka on or before 19.01.2026. Pursuant thereto, the paper publication has been effected, and the affidavit of service to that effect has also been filed before this Court.

5. Though the paper publication has been effected and the names of the respondents were printed in the cause list, there is no representation on behalf of the respondents either in person or through counsel. Hence, the service on the respondents is deemed to be sufficient.

6. In the light of the above discussion, this Court appoints **Mr.R.Vishnu, Advocate**, residing at **No.6/39, Salai Street, Mylapore, Chennai - 600 004, [Mobile No.9841067395]** 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.

7. Accordingly, this Original Petition is disposed of. No costs.

**09-02-2026**

Asi

To

1. Mr. R.Vishnu, Advocate, No.6/39, Salai Street, Mylapore, Chennai - 600 004. [Mobile No.9841067395].
2. Ashok Bagi  
S/o.Vittal,  
Ward No.3, Saidapur Galli Mudhaol Bagalkot,  
Karnataka - 587313.
3. Saidappa Bagi  
S/o.Vittal, Ward No.3, Saidapur Galli Mudhaol  
Bagalkot, Karnataka - 587313.
4. Gunavantavva Bagi  
W/o.Vittal, Ward No.3, Saidapur Galli Mudhaol  
Bagalkot, Karnataka - 587313.



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**N.ANAND VENKATESH, J.**

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