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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-03-2026

CORAM

THE HON'BLE MR JUSTICE SENTHILKUMAR RAMAMOORTHY

Arb O.P(COM.DIV.) No. 91 of 2026

Sri Jayamurugan Granite Exports,
Rep by Managing partner
P.K.Ravichandran,
S/o.Late.P.M.Kuppusamy,
No.9/45-A, Nedumaran Nagar,
Dharmapuri - 636 701.

..Petitioner(s)

Vs

M/s.Jeevan Granites and Stones
Rep by its Proprietrix Mrs.Adaikala Mary,
W/o.Durai Dhiviyathan,
No.246, Housing Unit, Periyar Nagar,
Rajagopalapuram,
Pudukkottai - 622 003.

..Respondent(s)

PRAYER: Arbitration Original Petition (Commercial Division) is filed under Section 11(6) of the Arbitration and Conciliation Act, 1996, pleaded to appoint a Sole Arbitrator to adjudicate the disputes between the petitioner and Respondent, arising out of the Raising Contract Agreement dated 21.09.2019.

For Petitioner(s): Mr.T.K.S.Gandhi

For Respondent(s): Mr.B.Sudarshan



ORDER

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The petitioner is a partnership firm, which had entered into a contract for quarrying and excavating granite blocks with the respondent. Such contract dated 21.09.2019 is named Raising Contract Agreement. Clause 27 thereof is as under:

“27. If any dispute or different of opinion arises between the parties arising out of this contract the same shall be referred to an arbitrator to be appointed by mutual consent of both the parties and the said arbitrator’s decision shall be final and binding on both the parties. The provision of Indian Arbitration and Conciliation Act 1996 will apply in this regard.”

2. After issuing notice dated 17.04.2025 under Section 21 of the Arbitration and Conciliation Act, 1996, the present petition has been filed.

3. Mr.B.Sudharshan, learned counsel, appears on behalf of the sole respondent. He admits that the contract provides for dispute resolution by arbitration.

4. Both parties submit that Mr.S.R.Raghunathan, Advocate was appointed as arbitrator to adjudicate the connected dispute between the parties.



5. Considering the aforesaid, it is appropriate that Mr.S.R.Raghunathan be appointed as the arbitrator to adjudicate this dispute also. Hence, Mr.S.R.Raghunathan, Advocate, “Westminister”, Mezzanine Floor, No.108, Dr.Radhakrishnan Salai, Mylapore, Chennai 600 004, Mobile No.9841094444, email: raghu@randr.in is appointed as the sole arbitrator. Learned arbitrator is requested to enter upon reference and adjudicate the dispute. The fees and expenses of the sole arbitrator shall be fixed in consultation with the parties. The arbitrator is at liberty to fix the fees in accordance with the Madras High Court Arbitration Centre (Administration Costs and Arbitrator Fees) Rules, 2017, if deemed fit.

6. Arb.O.P.(Comm.Div.) No.91 of 2026 is allowed on the above terms.

There shall be no order as to costs.

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Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

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SENTHILKUMAR RAMAMOORTHY, J.

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