

W.P.(MD)No.15965 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 11.06.2026

CORAM

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.(MD)No.15965 of 2026
and W.M.P.(MD)Nos.11962 and 11963 of 2026

Mrs.S.Prathiba
W/o. M.Vijay
Proprietress, P&C Chemcloud Firm,
S.F.No.66/4A1A2, MBT Cross,
Erathangal Village and Post,
Katpadi Taluk,
Vellore District-632 519.

.. Petitioner

- Vs. -

1.J.Sivakumar

2.Mr.V.P.Boopalan,
Sole Arbitrator,
No.4/139-2, Kovil Street,
Kurunji Nagar, Aathikulam,
Madurai-625014.

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the impugned case summary sheet dated -Nil- in ARB(MD)No.6 of 2025 on the file of the second respondent and quash the same as illegal and as devoid of merits and direct the second respondent to terminate the arbitration proceedings in ARB(MD)No.6 of 2025.



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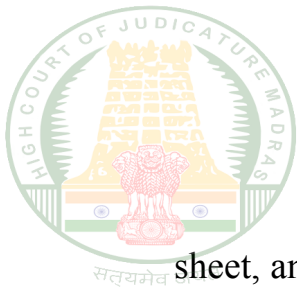
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: Mr. Raja. Karthikeyan

ORDER

In view of the prayer made, challenging the proceedings of the sole arbitrator in the dispute between the petitioner and the first respondent, the Registry had raised a query as to the maintainability of the writ petition, and as such, the matter is listed today under the caption “Maintainability”.

2. The learned counsel for the petitioner, by taking this Court through the affidavit filed in support of the writ petition, would submit that this is a case involving extraordinary circumstances and that, if extraordinary circumstances warrant, the jurisdiction under Article 226 of the Constitution of India can be exercised in respect of arbitration proceedings also. The learned counsel would submit that firstly, in this case, the first respondent, being a Chartered Accountant, has taken advantage of the fiduciary relationship and created the arbitration agreement, and that there is no valid arbitration agreement at all. Secondly, the second respondent, sole arbitrator, is acting in a biased manner. Whatever the petitioner has represented and prayed for has not even been recorded in the daily order

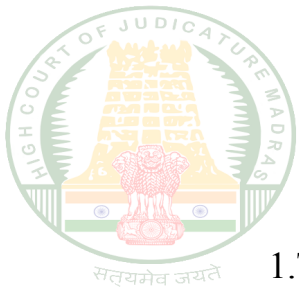


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sheet, and incorrect entries are being made in the case summary sheet. More specifically, the learned counsel, by pointing out to the proceedings, would submit that the summary sheet, which came to be circulated on 01.06.2026 itself, shows as if the final award had already been passed on 11.06.2026, which would indicate that the entire proceedings are false and the arbitrator has already determined the issue, while records are being cooked up as if a regular arbitration is being conducted. In view thereof, when grave prejudice is caused to the petitioner, this Court, under Article 226 of the Constitution of India, should entertain the writ petition and enquire into the matter.

3. I have considered the said submissions made by the learned counsel for the petitioner.

4. It is true that there are certain extraordinary circumstances in which Courts, under Article 226 of the Constitution of India, have exercised their jurisdiction even with reference to arbitration proceedings. However, in this case, what are pleaded are:



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1. The bias and capacity of the arbitrator;
2. The validity of the arbitration agreement ;
3. The jurisdiction of the arbitrator ;
4. The manner in which the arbitration proceedings are conducted, and alleged failure to follow proper procedure, the petitioner not being afforded adequate opportunity, and the facts that transpire during the proceedings is not being accurately recorded in the daily order sheet.

5. These are matters, which fall completely within the four corners of the Arbitration and Conciliation Act, 1996, and the petitioner has valid and efficacious remedies, which are prescribed under the Act itself. This does not give rise to any extraordinary circumstances warranting this Court to entertain a writ petition under Article 226 of Constitution of India.

6. Accordingly, upholding the objections made by the Registry, the writ petition is not entertained and rejected as not maintainable. No costs. Consequently, connected miscellaneous petitions are closed.

11.06.2026

sjj
NCC : No



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