

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

MONDAY, THE 22ND DAY OF AUGUST 2016

THE HON'BLE MR.JUSTICE RAJIV SHAKDHER

O.P.No.431 of 2016

In the matter of Arbitration  
and Conciliation Act 1996

And

In the matter of dispute  
between A.Dhamodharan,  
Chairman & C.Govindharajulu  
and another Award dated  
29.04.2016.

A.Dhamodharan  
Chairman,  
The Simpson and Group Companies Employees  
Co-operative Society Limited,  
No.1, Desi Colony,  
Perambur High Road,  
Chennai - 600 012

...Petitioner

Vs

1.C.Govindarajulu  
Managing Director,  
The Simpson and Group Companies  
Employees Co-operative Society Limited,  
No.1, Desi Colony,  
Perambur High Road,  
Chennai - 600 012

2.A.Rajathilagaram,  
Director, The Simpson and Group Companies  
Employees Co-operative Society Limited,  
No.1, Desi Colony,  
Perambur High Road,  
Chennai - 600 012

...Respondents

Original Petition praying that this Hon'ble Court  
may be pleased to set aside the award dated 29.04.2016

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passed by the sole Arbitral Tribunal and consequently hold that the Petitioner is a legally elected Chairman of the Simpson Group Companies Co-operative Society Limited by the Resolution dated 2.9.2015 and that the 2nd Respondent is no longer the Chairman of the Simpson Group Companies Employees Co-operative Society Limited and consequently direct the 2nd Respondent to hand over all the charge to the petitioner and further forbear the 1st and 2nd Respondent from interfering with the functioning of the Simpson Group Companies Employees Co-operative Society Limited in any manner by making claim as if the 2nd Respondent is the Chairman and further by not preventing the petitioner from the smooth functioning of the Simpson Group Companies Employees Co-operative Society Limited.

This original petition coming on this day before this Court for hearing, in the presence of Mr. Balan Haridas, advocate for the petitioner herein and upon reading the petition and the award dated 29.04.2016 filed herein and this Court observing that this Court is in agreement with the learned Arbitrator that the decision reached at the meeting held on 02.09.2015, was flawed, therefore, this Court have no hesitation in dismissing the petition and sustaining the award.

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It is ordered as follows:-

That the original petition No.431 of 2016 do stand dismissed.

2.That it is needless to say that the dismissal of the petition shall not come in the way of the petitioner or any other Director in convening a fresh meeting in accordance with the extant provisions of the law, in particular, the provisions of the 2002 Act, to seek removal of the 2nd respondent.

3.That there shall be no order as to costs.

WITNESS THE HON'BLE THIRU.SANJAY KISHAN KAUL, CHIEF JUSTICE, HIGH COURT AT MADRAS AFORESAID, THIS THE 22ND DAY OF AUGUST 2016.

Sd./-

ASSISTANT REGISTRAR (O.S.II)

//Certified to be true copy//

Dated at Madras this the 7<sup>th</sup> day of ~~October~~ 2016. *G. Ram*

COURT OFFICER(O.S.)

From 25th Day of September 2008 the Registry is issuing certified copies of the Orders/Judgments/Decrees in this format.

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R-03.10.2016

T-03.10.2016

O.P. No.431 of 2016

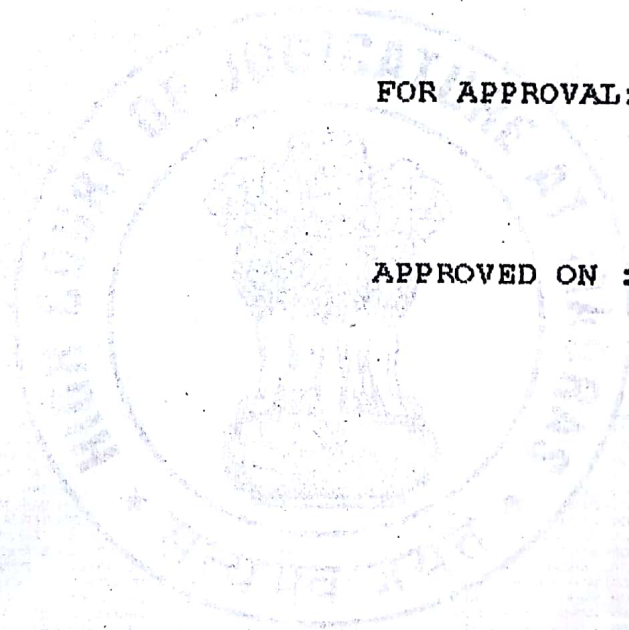
ORDER:-

DATED:22.08.2016

THE HON'BLE MR.JUSTICE  
RAJIV SHAKDHER

FOR APPROVAL:04.10.2016

APPROVED ON :04.10.2016



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