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Arb O.P(COM.DIV.) No. 349 of 2
& O.A.Nos.445 & 446 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-06-2026

CORAM

THE HON'BLE MR.JUSTICE K.KUMARESH BABU

Arb O.P(COM.DIV.) No. 349 of 2026

and

O.A.Nos.445 & 446 of 2026

Universal Tele Services

Mr.Rajesh Babu, Proprietor, St.George Building,
Pulamon P.O., Kottarakara-691531

Rep by V.Vijayapradeep, S/o.Vijayasenan Nair,
Power of Attorney Holder, Chaithram,
Kalayapuram P.O, Kottarakara, Kollam-691 560

..Petitioner/Applicant in
all cases

Vs

Bharat Sanchar Nigam Limited
MM Cell, BSNL, Chennai Telephones, Telephone
Exchange Building, No.99, Jawaharlal Nehru
Road, K.K.Nagar, Chennai-600 078.

..Respondent in all cases

Prayer in Arb.O.P(COMM DIV).No.349 of 2026:

Petition filed under Section 11 (6) of the Arbitration and Conciliation Act, 1996, to appoint a Sole Arbitrator to adjudicate upon the differences and disputes between the Petitioner and Respondent hereto along with an order directing the Respondent to pay the costs of the present petition to the Petitioner.

Prayer in O.A.No.445 of 2026:

Judge's Summons filed under Order XIV Rule 8 of O.S.Rules, read with Section 9(ii) (d) of Arbitration and Conciliation Act, to pass an order of interim injunction restraining the respondent, its men, agents, servants from giving effect to the termination orders dated 27.11.2025, 02.04.2026 and



20.04.2026 and debarment order dated 20.04.2026, and from enforcing or giving effect to the proposed blacklisting of the Applicant, pending adjudication of disputes through arbitration.

Prayer in O.A.No.446 of 2026:

Judge's Summons filed under Order XIV Rule 8 of O.S.Rules, read with Section 9(ii) (d) of Arbitration and Conciliation Act, to pass an order of interim injunction restraining the respondent from invoking, encasing or in any manner giving effect to the Performance Bank Guarantee of Rs.8,74,000/- (Rupees Eight Lakhs Seventy Four Thousand only) bearing PGB No.0083825IPG000043 dated 30.07.2025.

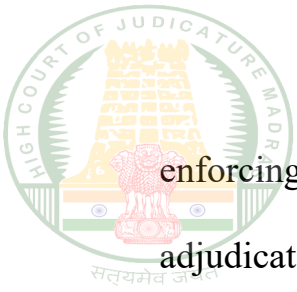
For Petitioner(s): Mr.Haja Mohideen Gisthi
For Mr..S.M.Vivekanandh
(in all three cases)

For Respondent(s): Mr.N.Umapathy
(in all three cases)

COMMON ORDER

The Arbitration Application has been filed to appoint a Sole Arbitrator to adjudicate upon the differences and disputes between the Petitioner and Respondent hereto along with an order directing the Respondent to pay the costs of the present petition to the Petitioner.

2. The Original Application in O.A.No.445 of 2026 has been filed to pass an order of interim injunction restraining the respondent, its men, agents, servants from giving effect to the termination orders dated 27.11.2025, 02.04.2026 and 20.04.2026 and debarment order dated 20.04.2026, and from



enforcing or giving effect to the proposed blacklisting of the Applicant, pending adjudication of disputes through arbitration.

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3. The Original Application in O.A.No.446 of 2026 has been filed to pass an order of interim injunction restraining the respondent from invoking, encasing or in any manner giving effect to the Performance Bank Guarantee of Rs.8,74,000/-(Rupees Eight Lakhs Seventy Four Thousand only) bearing PGB No.0083825IPG000043 dated 30.07.2025.

4. Heard both sides.

5. This Court appoints the Hon'ble Mr.Justice Thiru.**V.Bharathidasan, (Retired High Court Judge), Mobile Nos.9444383139, 9445500224) residing at New No.22 (Old No.L-45), 2nd Main Road, Kamaraj Nagar West, Thiruvanmiyur, Chennai – 600 041**, is appointed as Sole Arbitrator to enter upon the reference and resolve the disputes between the petitioner and the respondents.

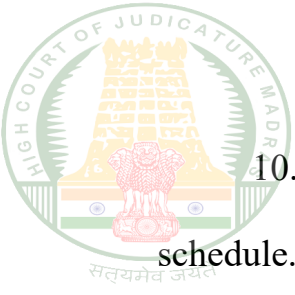
6. Considering the exigency of circumstances, this Court requests the learned Arbitrator to enter upon a reference immediately upon receipt of this order, without waiting for a formal communication from the Registry of this Court.



7. Various applications have also been filed by the petitioner/applicant, seeking for interim relief against the debarment of the applicant and also taking into consideration of the fact that a tender had been called for, for which the last date of submission is 09.06.2026, the learned Arbitrator is requested to take up and dispose of the applications that has been undertaken to be filed by the applicant under Section 17 of the Act, seeking the reliefs that are the subject matter of the applications pending before this Court.

8. The learned Arbitrator is requested to dispose of the same on or before 18.06.2026 and the parties are requested to co-operate with the learned Arbitrator for disposal of the same. It has also been brought on record that the applicant had also taken out an independent application under Section 9 of the Act, seeking to submit the tender, which is required to be submitted on or before 09.06.2026. This Court is of the view that the applicant could be permitted to submit the tender and the same shall be processed only after orders are passed by the learned Arbitrator.

9. This Court has not expressed any opinion on the merits of the case and the parties are at liberty to raise all the contentions available to them and take out necessary applications to protect their rights.



10. The learned Arbitrator is entitled to fix the remuneration as per the schedule.

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111. In fine, the Arbitration Petition is disposed of and the Original Applications are closed. No costs.

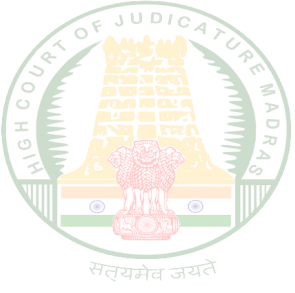
04-06-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

kak

Note: Issue Order Copy on 04.06.2026

To
1. Bharat Sanchar Nigam Limited
MM Cell, BSNL, Chennai Telephones, Telephone
Exchange Building, No.99, Jawaharlal Nehru
Road, K.K.Nagar, Chennai-600 078.



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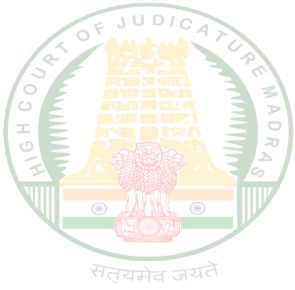


K.KUMARESH BABU, J.

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**Arb O.P(COM.DIV.) No. 349 of 2026
and
O.A.Nos.445 & 446 of 2026**

04-06-2026



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Arb O.P.(COM.DIV.) No. 349 of 2
& O.A.Nos.445 & 446 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-06-2026

CORAM

THE HON'BLE MR.JUSTICE K.KUMARESH BABU

Arb.O.P.(COM.DIV.)No.349 of 2026

and

O.A.Nos.445 & 446 of 2026

Universal Tele Services
Mr.Rajesh Babu, Proprietor, St.George Building,
Pulamon PO Kottarakara 691 531
Rep.by V.Vijayapradeep,
S/o. Vijayasenana Nair,
Power of Attorney Holder
Chaithram, Kalayapuram P.O, Kottarakkara,
Kollam 691 560.

.. Petitioner / applicant
in all cases

Vs

Bharat Sanchar Nigam Limited
M M Cell, BSNL Chennai Telephones,
Telephone Exchange Building, No.99,
Jawaharlal Nehru Road, K.K.Nagar,
Chennai 600 078.

..Respondent
in all cases

PRAYER in Arb.O.P.(COM.DIV)No.349 of 2026: Petition filed under Section 11(6) of the Arbitration and Conciliation Act, 1996 to appoint a Sole Arbitrator to adjudicate upon the differences and disputes between the petitioner and respondent hereto along with an order directing the respondent to pay the costs of the present petition to the petitioner.

PRAYER in O.A.No.445 of 2026 : Application filed under Order XIV Rule 8 of O.S.Rules r/w.Section 9(ii)(d) of Arbitration and Conciliation Act, to pass an



order of interim injunction restraining the respondent, its men, agents, servants from giving effect to the termination orders dated 27.11.2025, 02.04.2026 and 20.04.2026 and debarment order dated 20.04.2026 and from enforcing or giving effect to the proposed blacklisting of the applicant, pending adjudication of disputes through arbitration.

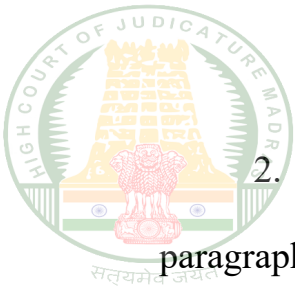
PRAYER in O.A.No.446 of 2026 : Application filed under Order XIV Rule 8 of O.S.Rules r/w.Section 9(ii)(d) of Arbitration and Conciliation Act, to pass an order of interim injunction restraining the respondent from invoking, encasing or in any manner giving effect to the Performance Bank Guarantee of Rs.8,74,000/- (Rupees Eight Lakhs Seventy Four Thousand only) bearing PGB No.0083825IPG000043 dated 30.07.2025.

For Petitioner : Mr.Haja Mohideen Gisthi
in all cases for Mr.S.M.Vivek Anandh

For Respondent : Mr.N.Umapathi
in all cases

COMMON ORDER

These matters have been listed today under the caption 'for being mentioned' at the instance of the learned counsel appearing for the applicant indicating that the Arbitrator had made an observation that there is no specific reference to enter upon the disputes that had been raised in the petitions.



2. Considering the submissions made, Registry is directed to replace paragraph Nos.1 to 6 with the following:

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“2. The Arbitration Application in Arb.O.P. (COM.DIV.)No.349 of 2026 has been filed to appoint a Sole Arbitrator to adjudicate upon the differences and disputes between the Petitioner and Respondent hereto along with an order directing the respondent to pay the costs of the present petition to the Petitioner.

3. The Original Application in O.A.No.445 of 2026 has been filed to pass an order of interim injunction restraining the respondent, its men, agents, servants from giving effect to the termination orders dated 27.11.2025, 02.04.2026 and 20.04.2026 and debarment order dated 20.04.2026, and from enforcing or giving effect to the proposed blacklisting of the Applicant, pending adjudication of disputes through arbitration.

4. The Original Application in O.A.No.446 of 2026 has been filed to pass an order of interim injunction restraining the respondent from invoking, encasing or in any manner giving effect to the Performance Bank Guarantee of Rs.8,74,000/-(Rupees Eight Lakhs Seventy Four Thousand only) bearing PGB No.0083825IPG000043 dated 30.07.2025.



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5. Heard both sides.

6. The learned counsel appearing for the applicant would submit that the applicant had entered into two agreements one for North area and the other for Central area. Both the agreements having been terminated upon which the disputes have arisen between the parties. The applicant had taken an application under Section 11(6) of the Arbitration and Conciliation Act, 1996 in Arb.O.P(Com.Div)No.349 of 2026 wherein this Court was pleased to appoint an Arbitrator to resolve the dispute. Hence, the applicant seeks a clarification that the Arbitrator can also enter upon the reference for the area covered under O.A.No.1200 of 2025.

7. Per contra, the learned counsel appearing for the respondent would submit that the earlier order with regard to the order of termination dated 27.11.2025, 02.04.2026 and 20.04.2026 which relate to an area which is different from the one covered under this application. He would further submit that the termination orders in O.A.No.1200 of 2025 are dated 30.10.2025, 24.11.2025 and 27.11.2025. Hence, when a reference had been made to the Arbitrator by the Court on different agreements, the



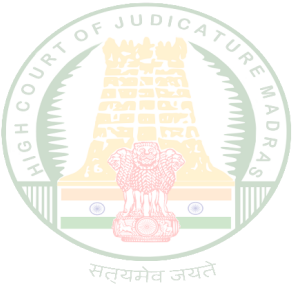
claimant cannot raise a dispute other than the agreements. Hence,
he would submit that there is no necessity to clarify.

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8. After hearing the learned counsels, this Court posed a query to the learned counsel as to whether the dispute involved in the present application can also be resolved by the very same Arbitrator as he had been already given a mandate to enter upon the reference with regard to an agreement between the parties.

9. In reply, the learned counsel appearing on either side would submit that they would not have any objection and also giving mandate to the very same Arbitrator to resolve the differences that had arisen in the present application.

10. Recording the same, this Court appoints the **Hon'ble Mr.Justice Thiru.V.Bharathidasan (Retired High Court Judge), Mobile Nos.9444383139, 9445500224) residing at New No.22 (Old No.L-45), 2nd Main Road, Kamaraj Nagar West, Thiruvanmiyur, Chennai – 600 041** is appointed as Sole Arbitrator to enter upon the reference and resolve the disputes between the petitioner and the respondent.



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11. The Arbitrator is requested to enter upon the reference and shall have the discretion to deal with the disputes referred to him jointly / simultaneously in respect of North operation area and Central operation area.”

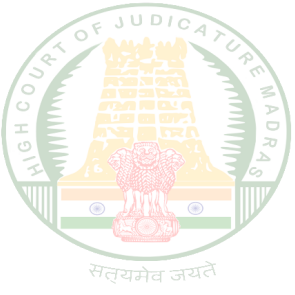
3. Further, paragraph Nos.7 to 11 in the order dated 04.06.2026 shall stand as it is, however, paragraph numbers shall be replaced as 12 to 16.

4. Registry is directed to make necessary correction in the order dated 04.06.2026 and issue fresh order copy.

22-06-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

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K.KUMARESH BABU, J.

vji

**Arb.O.P.(COM.DIV.)No.349 of 2026
and
O.A.Nos.445 & 446 of 2026**

22.06.2026