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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-02-2026

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THE HON'BLE MR JUSTICE N. ANAND VENKATESH

C.S(COMM DIV) No. 31 of 2026

AND

A Nos. 530 and 531 of 2026

Arte Bunkering DMCC

Represented by its Authorised Representative,

Office 26K, Silver Tower, Jumeirah Lake Towers -

JLT, Cluster I, Al Thanyah 5, Dubai, United Arab

Emirates.

..Plaintiff

Vs

Owners and Parties interested in the Vessel MV

Sea Moon (IMO 9647344)

A Vessel flyng the Union of Comoros Flag,

together with her hull, tackle, Engineers,

Machinery, Boats, Bumpers, equipment,

paraphernalia and all other appurtenances,

Presently lying at Chennai Port Tamil Nadu, in

Indian Territorial Waters and represented by its

Master

..Respondent

Civil Suit filed under VII Rue 1 of the CPC read with Order IV Rule 1 of Madras High Court Original Side Rules and Section 7 of the Commercial Court Act, 2015 and Sections 3, 4 and 16 of the Admiralty (Jurisdiction and



Settlement of Maritime Claims) Act, 2017 and Rules 2 & 3 of the Rules for Regulating the Procedure and Practice in Cases brought before the High Court of Judicature at Madras in the exercise of its Admiralty jurisdiction framed by the High Court, The Plaintiff therefore prays for a Judgment and Decree against the Defendant as under:

A. For a sum of USD 343,402 Three hundred forty-three thousand, four hundred two US dollars only), being the outstanding principal amount of USD 192,164 towards supply of bunkers to the Defendant Vessel plus costs of Arbitration amounting to USD 100,000 together with contractual interest at 3% per month amounting to USD 26,738, along with administration fees of USD 1000 and legal cost of USD 23,500 equivalent to INR 3,14,86,529.38 (Three crore fourteen lakh eighty-six thousand five hundred twenty-nine rupees and thirty-eight paise only); and for further interest at the rate of 3% per month on the aforesaid claim from the date of filing of the present Suit till the date of realization, together with costs of the Suitb;

B. For arrest, condemnation and sale of the Defendant Vessel MV MV Sea Moon (IMO 9647344), flying the flag of Comoros, presently lying at Chennai Port within the jurisdiction of this Honble Court, together with her hull, engines, gears, tackles, bunkers, machinery, apparel, plant, furniture, fixtures, equipment, stores, appurtenances and paraphernalia, and for a direction to deposit the sale proceeds in this Hon'ble Court to the credit of the present Suit;

C. For a direction to adjust the sale proceeds of the Defendant Vessel MV Sea Moon (IMO 9647344) against the suit claim

D.And for costs of this Suit.

For Petitioner : Ms.Deepika Murali

For Respondent : Mr.S.Vasudevan



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Judgment

A memo has been filed by the learned counsel for the plaintiff and the same is extracted hereunder:

“1. This Hon’ble Court was pleased to pass an order of arrest of the respondent/Defendant vessel vide order dated 02.02.2026 in the above mentioned application in the present suit.

2. The vessel was arrested on 02.02.2026 and the warrant of arrest as per the necessary forms were also served on the Master of the Vessel by the Court Bailiff and Junior Bailiff.

3. It is submitted that after the Respondent/Defendant Vessel was arrested, the owners of the Respondent/Defendant vessel settled the claim of the Applicant/Plaintiff. Hence, the order of arrest dated 02.02.2026 ought to be vacated and the Applicant/Plaintiff may be permitted to withdraw the suit as settled out of Court.

4. It is therefore humbly submitted that this Hon’ble Court may be humbly pleased to:

i. Direct uploading of the present order of withdrawal of the suit and consequent issuance of the order of release of the vessel MV Sea Moon (IMO 9647344)

ii. Permit Plaintiff’s Counsel to privately communicate through email to the Chennai Port Trust authorities intimating release of MV Sea Moon (IMO 9647344)

iii. Direct the Registrar General of this Hon’ble Court to communicate the order of withdrawal and release of the vessel MV



Sea Moon (IMO 9647344) to the Port Authorities by e-mail with a copy marked to the counsel for the Plaintiff at deepika@dmlawchamber.com.

It is therefore, prayed that the Registry may be pleased to issue warrant of release of the Vessel MV Sea Moon (IMO 9647344), flying the flag of the Union of Comoros, now lying at Chennai Port, and withdrawal of the present suit on the aforementioned terms and thus render justice.” .

2. Recording the above memo, this suit is dismissed as withdrawn. Consequently, the warrant issued by this Court for arrest of the vessel is recalled and the warrant of the arrest is lifted and the Cargo shall also be permitted to sail with the vessel. The Court fee paid by the plaintiff shall also be refunded. Connected miscellaneous applications are closed.

06-02-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

mp

Note: Issue order copy today



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C.S(COMM DIV) No. 31 of 2



N.ANAND VENKATESH J.

mp

**C.S(COMM DIV) No. 31 of 2026
AND
A NO. 531 OF 2026,A NO. 530 OF 2026**

06-02-2026