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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-02-2026

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THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

A No. 529 of 2026

in

C.S(COMM DIV) NO. 31 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.

Applicant(s)

Vs

Owners and Parties interested in the
Vessel MV Sea Moon (IMO 9647344)
A Vessel flying the Union of Comoros
Flag, together with her hull, tackle,
Engines, Machinery, Boats, Bunkers,
equipment, paraphernalia and all other
appurtenances, Presently lying at
Chennai Port Tamil Nadu, in Indian
Territorial Waters and represented by
its Master

Respondent(s)

For Applicant(s): Ms. Deepika Murali



ORDER

This application has been filed for the arrest and sale of the Vessel MV Sea Moon (IMO No.9647344) flying the flag of Union of Comprus, now lying at the Chennai Port, Chennai within the territorial waters and Admiralty Jurisdiction of this Court with her hull, tackle engines, plant, machinery, boats, bunkers, equipment, paraphernalia and all other appurtenances, pending disposal of the suit.

2.Heard the learned counsel for the applicant/plaintiff and carefully perused the materials available on record.

3.The case of the applicant is that the applicant is engaged in the business of bunkers trade, supplying of bunkers and other essentials. The respondent as the owner and party interested in the subject Vessel had outstanding undisputed dues payable to the tune of USD.343,402, together with interest and legal costs towards supply of bunkers to the respondent Vessel. The applicant issued an invoice dated 05.7.2025 to Astol on behalf of the respondent Vessel and the invoice amount was USD.147,923.48 and the due date for payment was mentioned as 04.8.2025. The applicant in order to recover this amount has filed the present suit for recovery of the amounts due and payable for arrest of the Vehicle.



4. On a careful consideration of the materials available on record, it is seen that the maritime claim made by the applicant falls under Section 4(1)(l) of the Admiralty (Jurisdiction and Settlement of Maritime Claims) Act, 2017. There is also a charter party agreement relatable to the general terms and conditions entered into during September 2024. Hence, pending the dispute being referred to the Arbitral Tribunal and final award is passed, the applicant is seeking for some security so that the amount can be deposited and the deposited amount can continue to be in deposit till the final award is passed by the Arbitral Tribunal.

5. There is also acknowledgment of the debt on the side of the respondent which is available from the documents at page nos. 113 to 120 in the paper book.

6. It is also brought to the notice of this Court that the Vessel carries a container and in the remarks column it is mentioned as IMDG which translates as International Maritime Dangerous Goods. It must therefore be made clear that the vessel will be arrested after the container is offloaded from the vessel since it carries IMDG. Therefore, appropriate directions must be issued in this regard while passing orders in this application.



7. This Court is of the considered view that a prima facie case has been made out by the applicant/plaintiff for grant of arrest. The balance of convenience and irreparable hardship has also been established by the plaintiff.

8. For the foregoing reasons, this Court is of the considered view that to protect the interest of the plaintiff suit claim, this Court is inclined to grant an order of arrest of the defendant Vessel, which is now lying at Chennai Port, Chennai, which is within the Admiralty jurisdiction of this Court. Since the vessel carries IMDG in a container, the container shall be offloaded before the vessel is arrested. Accordingly, there shall be an order of arrest of the defendant Vessel MV Sea Moon (IMO 9647344), as prayed for in this application.

9. Notice to the respondent/defendant returnable by 24.02.2026. Private Notice is also permitted. The applicant shall comply with Order XXXIX Rule 3A CPC.

10. Registry is directed to issue Warrant of Arrest as per the Admiralty Rules of this Court forthwith. The learned counsel for the plaintiff is permitted to communicate this order to all the authorities including the Master of the defendant Vessel, through all modes of service including by email. On receipt of such communication, the Authorities shall act upon the same immediately.



11.Post on 24.02.2026.

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Note: Issue order copy today



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N.ANAND VENKATESH J.

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