



WEB COPY



WP No.35222 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.08.2026

CORAM

THE HON'BLE MR.SUSHRUT ARVIND DHARMADHIKARI,
CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE G.ARUL MURUGAN

WP No.35222 of 2022

Adv. (Capt.) Pushpakumar

.. Petitioner

-VS-

1. Director General of Shipping
C/o.Principal Officer, Anchor Gate
Building, 2nd Floor, Rajaji Salai,
George Town, Chennai,
Tamilnadu 600 001.
2. Director General of Shipping,
Surveyor-in-charge (Addl in-charge)
Mercantile Marine Department, Turicorin
New Port Area, Tuticorin 628 004.
3. Tamil Nadu Maritime Board,
No.171 South Kesavaperumal Puram
Off. Greenways Road, Raja Annamalaipuram,
Chennai 600 028.
4. V.O.Chidambaranar Port Trust
3b, World Trade Ave, Harbour Estate,
Turicorin Beach Road Salt Pans,
Thoothukudi, Tamil Nadu 628 004.
5. The Chairman,
Port of Chennai, No.1, Rajaji Salai,
Chennai 600 001.

Page 1 of 8



WP No.35222 of 2022

6. The Chairman
Kamarajar Port Limited,
No.17, Jawahar Building,
Rajaji Road, Chennai,
Tamil Nadu 600 001.
7. The Director,
Karaikal Port Private Limited,
Khezhavanjoor Village,
T.R.Pattinam, Karaikal,
India 609 602.
8. The Director,
Kattupalli Port, Kattupalli Road,
Kattupalli, Tamil Nadu 600 120.
9. The Secretary,
Ministry of Environment and Forest,
129, Cathedral Garden Road,
Teynampet, Gangai Karai Puram,
T.Nagar, Chennai, Tamil Nadu 600 006.
10. The Secretary,
Ministry of Ports and Shipping,
Parivahan Bhavan, 1, Parliament Street,
New Delhi.
11. The Director General of Shipping,
9th Floor, Beta Building, i-Think Techno Campus,
Kanjurmarg (East), Mumbai 400 042.
12. New Zealand Embassy in India
Sir Edmund Hillary Marg Chanakyapuri
110 021, New Delhi.
13. The Chairperson,
Insurance Regulatory and Development
Authority of India, Gate No.3,
Jeevan Tara Building, 1st Floor,
Sansad Marg, New Delhi 110 001.



WP No.35222 of 2022

WEB COPY

14. The President,
The Chennai and Ennore Ports Steamer
Agents Association,
New No.63, Old No.32, Broadway Road,
Broadway, Chennai 600 108.
Tamil Nadu, India.
15. The President,
Tuticorin Ship Agents Association,
Shipping House A-14, World Trade Avenue,
Tuticorin 628 004.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to forbear the respondents from the entry of all types of Vessels/Crafts/watercrafts entering Tamil Nadu Territorial waters which to restrain from entering into any major or minor ports on the coast of Tamilnadu holding Protection and Indemnity certificate issued by Maritime Mutual Insurance Association (NZ) Limited which is a shell company engaged in issuing Protection and Indemnity certificates for Wreck Removal and others enabling fly-by-night operators to trade on Tamilnadu Coast and Indian coast and also to restrain Non IACS NON IGP Vessels to enter the coast of Tamil Nadu.

For Petitioner : Mr.Capt.V J Pushpakumar
Party-in-person

For Respondents : Mr.R.Sanjay
Stdg. Counsel for Central Govt.
for RR 1, 2, 9, 10 & 11

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WP No.35222 of 2022

WEB COPY

ORDER

(Order of the Court was made by the Hon'ble Chief Justice)

This writ petition filed under Article 226 of the Constitution of India seeks for a writ of mandamus in the nature of public interest litigation forbearing the respondents from the entry of all types of Vessels/Crafts/watercrafts entering Tamil Nadu Territorial waters holding Protection and Indemnity Certificate issued by Maritime Mutual Insurance Association (NZ) Limited for wreck removal and others enabling fly-by-night operators to trade on Tamilnadu Coast and Indian coast and also to restrain Non-IACS, Non-IGP Vessels to enter the coast of Tamil Nadu.

2. During the pendency of the writ petition, the Directorate General of Shipping, Ministry of Ports, Shipping and Waterways, Mumbai, has issued a circular dated 16.06.2026 revoking the approval granted to Maritime Mutual Insurance Association (NZ) Ltd. for providing Non-IG Protection and Indemnity (P&I) Insurance to vessels calling at Indian Ports. Paragraphs 4 and 5 of the circular are reproduced below:



WEB COPY



WP No.35222 of 2022

"4. In view of the above, and upon consideration of the implications of continuing recognition of an insurer that is presently under sanctions by a foreign government authority, the approval/ acceptance granted to Maritime Mutual Insurance Association (NZ) Ltd. for providing Non-IG P&I Insurance cover for vessels calling at Indian Ports under Rule 2(e) of the Merchant Shipping (Regulation of Entry of Ships into Ports, Anchorages and Offshore Facilities) Rules, 2012 is hereby revoked with immediate effect.

5. Accordingly, with effect from the date of this notice, any vessel arriving at or seeking entry to any Indian Port, terminal, anchorage or offshore facility, and relying upon P&I Insurance cover issued by Maritime Mutual Insurance Association (NZ) Ltd., shall not be treated as carrying acceptable P&I cover for the purpose of regulatory compliance in accordance with the Merchant Shipping (Regulation of Entry of Ships into Ports, Anchorages and Offshore facilities) Rules, 2012, and such vessel shall not be granted necessary entry clearance/port clearance/related operational permissions unless and until acceptable alternative insurance cover from an insurer acceptable to the competent Indian authorities is furnished."



WP No.35222 of 2022

WEB COPY

3. In view of the above, the issue raised in this writ petition has been addressed and therefore, nothing survives for adjudication in this writ petition. Accordingly, the writ petition is closed. There shall be no order as to costs.

(SUSHRUT ARVIND DHARMADHIKARI, CJ.) (G.ARUL MURUGAN, J.)
14.08.2026

Index : Yes/No

Neutral Citation : Yes/No

sra

To

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C/o.Principal Officer, Anchor Gate
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George Town, Chennai,
Tamilnadu 600 001.
2. The Director General of Shipping,
Surveyor-in-charge (Additional in-charge)
Mercantile Marine Department/Turicorin
New Port Area, Tuticorin 628 004.
3. Tamil Nadu Maritime Board,
No.171 South Kesavaperumal Puram Off.,
Greenways Road, Raja Annamalaipuram,
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4. The Chairman,
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5. The Chairman
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Rajaji Road, Chennai, Tamil Nadu 600 001.

Page 6 of 8



WP No.35222 of 2022

6. The Director,
Karaikal Port Private Limited,
Khezhavanjoor Village, T.R.Pattinam, Karaikal, India 609 602.
7. The Director,
Kattupalli Port, Kattupalli Road, Kattupalli, Tamil Nadu 600 120.
8. The Secretary,
Ministry of Environment and Forest,
129, Cathedral Garden Road, Teynampet,
Gangai Karai Puram, T.Nagar, Chennai,
Tamil Nadu 600 006.
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