

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.06.2016

CORAM

THE HONOURABLE MR. **JUSTICE M.M.SUNDRESH**

C.S.No.291 of 2016

and

A.No.2460 of 2016

MCMG Worldwide Limited
represented by its Power Agent
R.Vettrivel

... Plaintiff

vs.

Owners and Parties interested in the
Vessel M.V.LORD, presently lying
at the Port of Karaikal, India and
represented by its Master

... Defendant

Civil Suit is filed under Order XLII Rules 1, 2 and 3 of
the O.S. Rules r/w Order VII Rule 1 of C.P.C.

For Plaintiff : Mr.S.Vasudevan

JUDGMENT

The suit is filed for recovery of money, for arrest
and sale of the defendant Vessel M V LORD lying at Port of
Karaikal, India and for a direction to adjust the sale
proceeds of the defendant Vessel against the suit claim.

2. Learned counsel for the plaintiff submitted that
the suit may be dismissed as settled out of court and the
Registry may be directed to refund half of the court fee.

Consequently, the order of arrest dated 19.05.2016, which was subsequently modified on 24.05.2016 may be vacated and the Vessel may be permitted to proceed with. He has also made an endorsement to that effect in the plaint.

3. Considering the said submission and also considering the endorsement made by the learned counsel for the plaintiff, the suit is dismissed as settled out of court. Registry is directed to refund half of the court fee in the name of the power agent of the plaintiff. Consequently, Application No.2460 of 2016 is also dismissed and the interim order already granted shall stand vacated. In view of the same, the Vessel is allowed to be proceeded and the warrant for release of the Vessel is directed to be issued to the counsel for the plaintiff today.

सत्यमेव जयते

Sd/M.M.S.J

09.06.2016

//Certified to be a true copy//

Dated this the day of 2016

S.s/27.09.2016

COURT OFFICER

From 25.09.2008 the Registry is issuing certified copies of the Order/Judgment Decree in this format.