

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.06.2016

CORAM:

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

C.S.No.352 of 2016
& A.No.2912 of 2016

1.Mr.Igor Kozakov
2.Mr.Babur Bayburt
3.Mr.Rezo Vakhtangidze
4.Mr.Levan Vakhtangidze
5.Mr.Volkan Sirin
6.Mr.Hikmet Ozcan
7.Mr.Yunus Emre Unlu
All working on Board the Vessel
MV KARAAGAC, now lying at
The Port of Chennai and represented
by their Power of Attorney Mr.K.Sreekumar,
S/o P.Krishnan Kutty,
No.34, Second Line Beach,
Chennai-600 001.

.. Plaintiffs

Vs.

Owners and parties interested in
The Vessel **MV KARAAGAC** now
Lying at the Port of Chennai,
Represented by its Master

.. Defendant

Civil Suit filed under Order XLII Rules 1, 2 & 3 of the Original Side Rules read with Order VII Rule 1 C.P.C for a judgment and decree against the owners of the defendant vessel **MV KARAAGAC** for a sum of US \$59075.25 (U.S. Dollar fifty nine thousand and seventy five and cents twenty five only) equivalent to Rs.39,58,041.75 (Rs. Thirty nine lakhs fifty eight thousand and forty one and paise seventy five only) calculated at the

rate of 1 US \$ = Rs.67 together with future wages from this date till the last date of their discharge/sign off from the defendant vessel **MV KARAAGAC** and repatriation charges and for arrest and sale of the defendant vessel **MV KARAAGAC** in as is where is condition, presently in Indian waters at the Port of Chennai, Tamil Nadu State, India, and for a direction to adjust the sale proceeds of the defendant Vessel **MV KARAAGAC** against the suit claim and for costs of the suit.

For plaintiffs : Mr.Abdul Quddhose

JUDGMENT

When the matter is taken up on the mentioning made by the learned counsel for the plaintiffs, the learned counsel submits that the matter has been settled between the parties and an endorsement has already been made.

2. In view of the endorsement so made and the submission, the above civil suit stands dismissed as settled out of Court. The defendant shall have the vessel released from the arrest. The Registry is directed to issue release warrant to the counsel for the plaintiffs today itself and refund half of the Court fee. No costs. Consequently, A.No.2912 of 2016 is also dismissed.

30.06.2016

Note: Issue order copy on 30.06.2016

M.M.SUNDRESH,J.

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