

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

THURSDAY, THE 12TH DAY OF OCTOBER 2017

THE HON'BLE MR.JUSTICE C.V.KARTHIKEYAN

A.No.6162 of 2017
&
A.No.5452 of 2017
in
C.S.No.637 of 2017

C.S.No.637 of 2017

M/s.Infinity Shipping Private Limited,
53-55, Rowther Chambers, IV Floor,
Rajaji Salai, Chennai 600 001.
Rep.by its Managing Director,
Mr.K.V.Ganesh,

... Plaintiff

Vs

Owners and parties interested in the
Vessel M V THEOXENIA presently
lying at the Port of Kakinada and is
represented by its Master

... Defendant

A.No.6162 of 2017

National Bank of Greece S.A.,
86, Aiolou Street,
Athens, Greece.

(Owners and parties interested in the
Vessel M V THEOXENIA presently
lying at the Port of Kakinada and is
represented by its Master)

Represented by its power of Attorney Agent

Mr.Anil Shamrao Jadhav.

...Applicant/Intervener

-Vs-

1.M/s.Infinity Shipping Private Limited,
53-55, Rowther Chambers, IV Floor,
Rajaji Salai, Chennai 600 001.
Rep.by its Managing Director,
Mr.K.V.Ganesh

...Respondent No.1/Original Plaintiff

2. Owners and parties interested in the
Vessel M V THEOXENIA presently
lying at the Port of Kakinada and is
represented by its Master

... Respondent No.2/Original Defendant

Application praying that this Hon'ble Court be pleased
to allow the Applicant/Intervenor to intervene in the
said C.S.No.637/2017 as a party interested in the
Respondent Vessel.

This application coming on this day before this court
for hearing the court made the following order:

A.No.6162 of 2017 has been filed, seeking permission
to allow the applicant to intervene in the present suit in
C.S.No.637 of 2017 as a party interested in the subject
vessel.

2. The application has been filed by the National Bank
of Greece S.A., 86, Aiolou Street, Athens, Greece,
represented by its Power of Attorney Agent Mr. Anil Shamrao
Jadhav.

3. In the affidavit filed in support of the said
application, it had been stated that the applicant is an
interested party in the proceedings. The proceedings are
also for the sale of the vessel and naturally the
intervenor, the applicant herein, has to seek permission
of this Court to intervene in the proceedings.

4. A Counter has been filed by the
respondent/plaintiff. In the counter, it has been stated
that the applicant herein has also challenged the

jurisdiction of this Court but had sought permission to intervene and participate in the judicial proceedings.

5. The question whether the applicant can participate in the judicial proceedings without submitting to the jurisdiction of this Court is a mute question and will be answered by both parties in the application, seeking sale of the vessel. National Bank of Greece 86, Aiolou Street, Athens, Greece. Rep.by its Power of Attorney Agent, Mr.Anil Shamrao Jadhav is permitted to intervene and join in the proceedings of the present suit. Application is allowed accordingly.

6. Learned counsel for the plaintiff shall also move A.No.5452 of 2017 for bringing vessel for sale. In the said application, the National Bank of Greece 86, Aiolou Street, Athens, Greece. Rep.by its Power of Attorney Agent, Mr.Anil Shamrao Jadhav is permitted to participate in the proceedings in A.No.6162 of 2017. The matter shall be listed to hear both parties on 26.10.2017.

sd/.C.V.K.J

12.10.2017

//Certified to be a true copy//

Dated this the day of 2017.

COURT OFFICER

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