

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Special Original Jurisdiction)

Monday, the Seventeenth day of December Two Thousand Eighteen

PRESENT

THE HON`BLE MRS JUSTICE PUSHPA SATHYANARAYANA

WMP.No.39095 of 2018

in WP.No.33691 of 2018

RUBY STAR SHIPPING CO LTD [PETITIONER]
OMC CHAMBERS, ROAD TOWN, TORTOLA,
BRITISH VIRGIN ISLANDS, REP BY ITS
CONSTITUTED ATTORNEY

Vs

1 INDIAN COAST GUARD [RESPONDENTS]
REP BY ITS COMMANDANT HEAD QUARTERS,
COAST GUARD REGION (EAST), NEAR NAPIER
BRIDGE, CHENNAI 600 009

2 KAMARAJAR PORT LIMITED
REP BY ITS CHAIRMAN, NO.17, JAWAHAR BUILDING,
RAJAJI SALAI, CHENNAI 600 001

3 MINISTRY OF SHIPPINT
REP BY ITS SECRETARY, 2ND FLOOR, RAJAJI
SALAI, GEORGE TOWN, CHENNAI 600001

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to issue a direction directing the Respondent No.2 to allow the release of the Vessel upon furnishing security towards the claim of the Respondent No.1 before this Honourable court on a without prejudice basis to the satisfaction of this Honourable court (in WMPNo.39095/2018)

Order : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.P.H.ARAVIDH PANDIAN, Senior Counsel for M/S.MUKUND RAO, Advocate for the petitioner and of MR.VENKATASWAMY BABU, Senior Panel Counsel taking notice on behalf of the respondents 1 & 3 and of MR.M.T.ARUNAN, Standing Counsel taking notice for respondent 2 the court made the following

Mr.Venkataswamy Babu, learned Senior Panel Counsel takes notice on behalf of the respondents 1 & 3 and Mr.M.T.Arunan, learned Standing Counsel takes notice for respondent No.2.

2. The above writ petition has been filed challenging the demand amount for providing Assistance to Pollution Response Operation from 18 - 22 November, 2018 to the tune of Rs.4,37,56,021.00/- (Rupees Four Crore Thirty Seven lakhs Fifty Six thousand and Twenty One only).

3. Mr.P.H.Arvinth Pandian, learned Senior Counsel undertakes to deposit the said amount to the credit of this writ petition within a period of one week from the date of receipt of a copy of this order. On such deposit being made, the Registry is directed to keep the same in an interest bearing fixed deposit at Indian Bank, Madras High Court Branch, initially for a period of two years, which shall be renewed periodically.

4. On such security being furnished, the second respondent is directed to release the vessel, namely, 'MT Coral Stars' without prejudice to the rights of the petitioner.

-sd/-

17/12/2018

/ TRUE COPY /

Sub Assistant Registrar (Statistics / C.S.)
High Court, Madras - 600 104.

सत्यमेव जयते

TO

1 THE COMMANDANT HEAD QUARTERS,
INDIAN COAST GUARD COAST GUARD REGION (EAST),
NEAR NAPIER BRIDGE, CHENNAI 600 009

2 THE CHAIRMAN, KAMARAJAR PORT LIMITED,
NO.17,JAWAHAR BUILDING, RAJAJI SALAI,
CHENNAI 600 001

3 THE SECRETARY, MINISTRY OF SHIPPING,
2ND FLOOR, RAJAJI SALAI, GEORGE TOWN,
CHENNAI 600001

4 THE SECTION OFFICER
ACCOUNTS SECTION, HIGH COURT, CHENNAI

C.C. to M/S.MUKUND RAO Advocate Sr.No.15506

C.C. to MR.M.T.ARUNAN, Standing Counsel Sr.No.15557

C.C. to MR.VENKATASWAMY BABU, Senior Panel Counsel Sr.No.15532

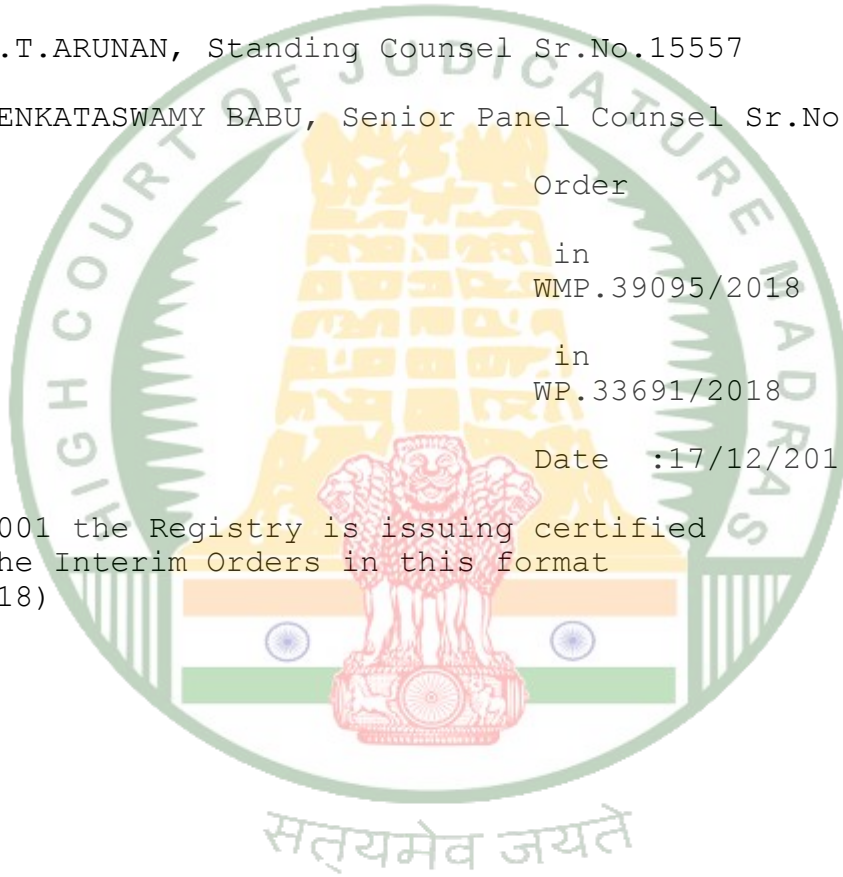
Order

in
WMP.39095/2018

in
WP.33691/2018

Date :17/12/2018

From 26.2.2001 the Registry is issuing certified
copies of the Interim Orders in this format
KP(18/12/2018)



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