

IN THE HIGH COURT OF JUDICATURE AT MADRAS**Dated : 16.07.2019****Coram****The Honourable Mr.Justice KRISHNAN RAMASAMY****C.S.No.52 of 2008**

Fourcee Equipment & Services Pvt. Ltd.,
Q-51, Anna Nagar,
Chennai – 600 050.
Rep. by its
Managing Director
Mr.S.Kannan

...Plaintiff

Versus

Owners and Parties interested in the Vessel
M.T.ASDRUBAL
Represented by its Master,
Now lying at the Port of Kakinada,
Andhra Pradesh.

...Defendant

This Civil Suit is filed under Order XLII Rule 3 of the O.S.Rules
r/w. Order VII Rule 1 of C.P.C for the following reliefs:

(a) For a sum of US\$ 2,08,207.15 equivalent to Rs.81,20,078.85
calculated as per the prevailing exchange rate at 1US\$=Rs.39/- Indian
Rupees with interest at the rate of 24% p.a. from the date of this
Plaint till date of realization or such higher sum of Indian Rupees
equivalent to the exchange rate prevailing on the date of the judgment
whichever is higher.

KRISHNAN RAMASAMY, J.,

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(b) For arrest and sale of the defendant Vessel M.T.ASDRUBAL in as is where is condition, presently in Indian Waters at Port of Kakinada, Andhra Pradesh.

(c) For a direction to adjust the sale proceeds of the defendant Vessel M.T.ASDRUBAL against the suit claim with interest and costs.

(d) And for costs of this suit.

For Plaintiff : Mr.K.Krishnaswamy
For Defendant : Unserved

J U D G M E N T

The learned counsel for plaintiff submitted that the matter has been settled out of Court and therefore, he seeks the permission of this Court to dismiss the suit. He has also made an endorsement to that effect.

2. In view of the submission coupled with an endorsement made by the plaintiff's counsel, this Civil Suit is dismissed as settled out of Court. No costs.

16.07.2019

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Index : Yes/No

C.S.No.52 of 2012



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