

IN THE HIGH COURT OF JUDICATURE AT MADRAS**Dated : 22.07.2019****Coram****The Honourable Mr.Justice KRISHNAN RAMASAMY****C.S.No.22 of 2012**

M/s.I & C International Pvt. Ltd.,
101, Cecil Street,
#24-02, Tong Eng Building,
Singapore – 069 533,
Represented by its Power Agent
Mr.M.Krishna Sreethar
No.70/46, Subbarayan
5th Street, Nammalwarpet,
Ayanavaram,
Chennai – 600 012.

...Plaintiff

Versus

Owners and Parties interested
in the vessel MV XIA ZHI YUAN 7
now lying at the Port of Chennai,
Tamil Nadu
and represented by its Master

...Defendant

This Civil Suit is filed under Order XLII Rule 1 & 2 of
O.S.Rules r/w. Order VII Rule 1 of C.P.C for the following reliefs:

(a) For a sum of US\$ 165,627.79 equivalent to INR
Rs.87,78,272.87, calculated @ US\$ 1=INR 53.00 or such other
high rate as may be applicable on the date of decree with interest

at the rate of 24% p.a. from the date of this Complaint till date of realization or such sum of Indian Rupees, whichever is higher.

(b) For arrest and sale of the defendant's vessel MV XIA ZHI YUAN 7 in as is where is condition, together with her engines, tackles, equipments, fittings, furniture, paraphernalia and all other things available in the Ship, presently in Indian Waters at Port of Chennai, Tamil Nadu, India or wherever found within the territorial waters of India;

(c) For a direction to adjust the sale proceeds of the defendant's vessel MV XIA ZHI YUAN 7 against the suit claim;

(d) And for costs of this Suit.

For Plaintiff : Mr.S.Vasudevan

J U D G M E N T

Today (22.07.2019), when the matter is called, the learned counsel for plaintiff submitted that the matter has been settled out of Court, between the parties. He therefore prayed for the dismissal of the suit and also for the refund of full Court fee in the name of Mr.M.Krishna Sreethar, Power Agent of the plaintiff Company. 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 and as per the amended Section 69 of Tamil Nadu Court Fees and Suits Valuation Act, 1955 (Tamil Nadu Act XIV of 1955) as amended by Tamil Nadu Act 6 of 2017 with effect from 01.03.2017 Act, refund of full Court fee is ordered by this Court. Therefore, the Registry is directed to do the needful to refund the full Court fee in the name of Mr.M.Krishna Sreethar, Power Agent of the plaintiff Company, as per law. No costs.

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Index : Yes/No

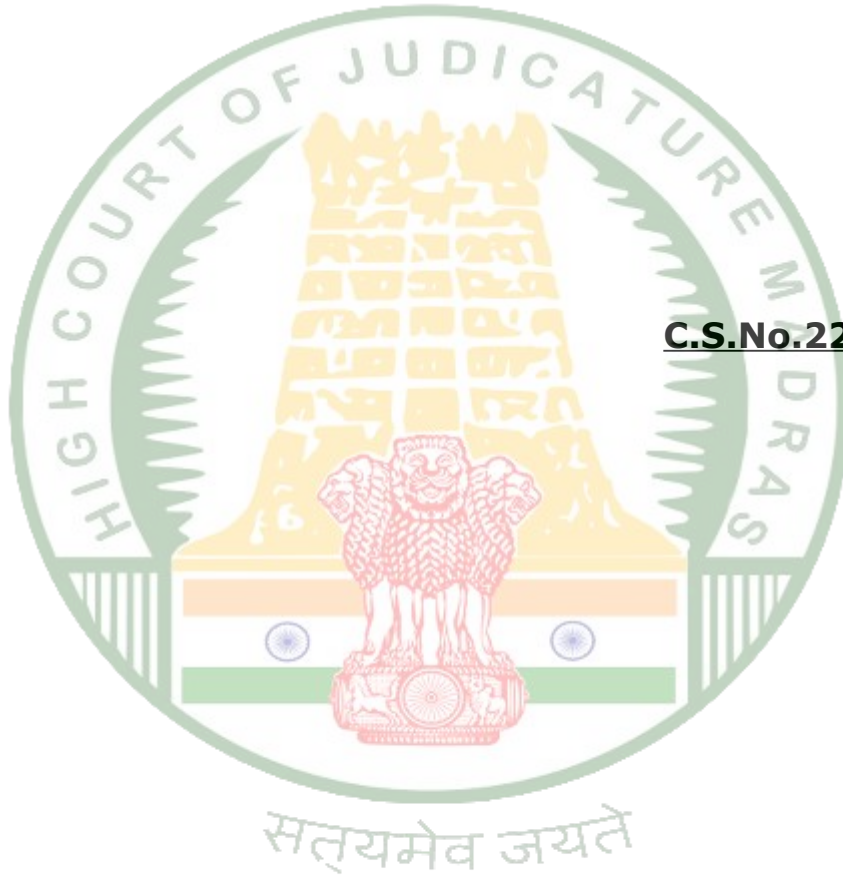
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KRISHNAN RAMASAMY, J.,

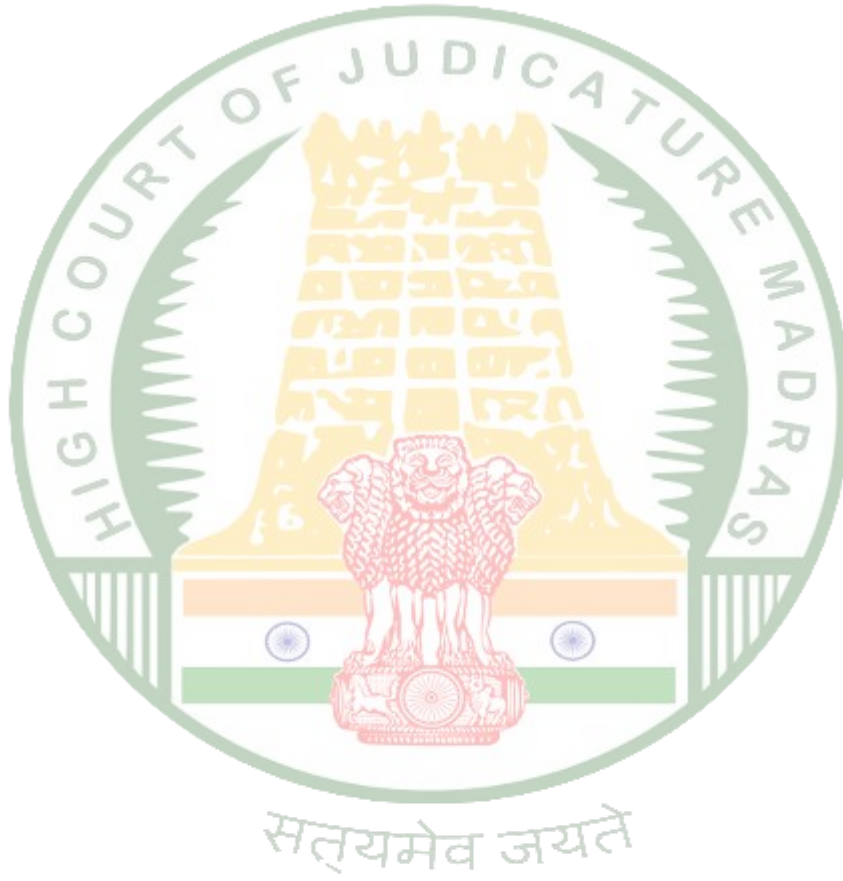
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