

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 11.07.2019

Coram

The Honourable Mr.Justice KRISHNAN RAMASAMY

**C.S.No.775 of 2012
and A.Nos.5541, 5542 & 5275 of 2012**

Yashvinder Singh S/o. Shri.Bidhi Chand
On board the Vessel M.V.Morning Star
now lying at Port of Tuticorin, rep. by his
Power Agent Mr.R.Vetrivel.

...Plaintiff

Versus

Owners and Parties interested in the Vessel
M.V.MORNING STAR
now lying at the the Port of Tuticorin
Represented by its Master.

...Defendant

This suit is filed under Order XLII Rule 1, 2 & 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\$ 7,200.00 equivalent to INR Rs.4,03,200/-,
calculated @ US\$ 1 = INR 56.00 together with interest at the rate of 24%
p.a. from the date of this Plaint till date of realisation or such higher sum
of Indian Rupees equivalent to the exchange rate prevailing on the date of
the judgment whichever is higher and direct the owners of the defendant
Vessel to effect payment till the last date of discharge.

(b) For arrest and sale of the defendant Vessel M.V.MORNING STAR,
in as is where is condition, presently in Indian Waters at Port of Tuticorin
or wherever available within the territorial waters of India.

(c) For a direction to adjust the sale proceeds of the defendant
Vessel M.V.MORNING STAR against the suit claim,

(d) And for costs of the suit.

KRISHNAN RAMASAMY, J.,

mrr

For Plaintiff : Mr.S.Vasudevan

For Defendant : No Appearance

J U D G M E N T

The learned counsel for plaintiff seeks the permission of this Court to withdraw the suit since the matter has been settled between the parties and 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In view of the submission coupled with an endorsement made by the plaintiff's counsel, this Civil Suit is dismissed as withdrawn. No costs. Consequently, connected Applications are closed.

11.07.2019

mrr

Index : Yes/No

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