

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 07.11.2019

CORAM

The Honourable Mr.Justice N.SATHISH KUMAR

C.S.No.769 of 2016

Oren Hydrocarbons Private Limited,
rep. by its Director, K.Ramesh,
28/2B, Saravana Street,
T.Nagar,
Chennai-600 017

...Plaintiff

Versus

1.HS Shipping Limited,
Newgate Street 10, Deep Bay,
P.O.Box 875,
St.John's,
Antigua.

2.AC Orsselff Eftf A-s,
Slotsmarken 18,
2ND, DK-2970,
HOERSHOLM,
Denmark.

3.Sutcu Logistik Hizmetleri Nak Tur,
Asansor Tic.ve.San.Tlef Ltd.Sti,
Istiklal Caddesi hurriyet Ishani Kat.3,
No.7, 33070-Mersin/Turkey,
(Previously Sutcu Logistik & Transport Ltd,
(B.E.L.I.N.A)., Mersin/Turkey.

4.Sea Star Shipping & Trading Inc.,
#4, 1st Floor, Narayanappan Street,
behind Custom House Building,
Chennai-600 001.

5.Hamilton Technologies Ltd.,
Plot No.226, Block C, PMB 020;
Trans Amadi Industrial Layout,
Phase II, Port Harcourt,
Rivers State,
Nigeria.

6."Boris" of Scheepswerrvenweg,
#1, 9608 PD Westerbroek,
Netherlands. ...Defendants

This Civil Suit is filed under Order IV Rule 1 of Code of Civil Procedure 1908 r/w Order IV Rule I of Original Side Rules praying to (a) to direct the defendants 2 to 4 to pay the plaintiff jointly or severally a sum totalling Rs.2,50,46,436/- being principal sum of Rs.2,27,69,488/- with interest on Rs.22,76,948.00 at 24% per annum from 03.08.2012 to the date of Leave to sue application being 11.01.2013, with future interest @ 24% p.a from the date of plaint to the date of realisation.

(b)to grant consequential permanent injunction restraining the 5th defendant from claiming the freight and any other charges said to have been incurred/paid by 5th defendant to the 2nd defendant till the plaintiff's above demand on the defendants 2 to 4 to pay jointly or severally, the entire freight and other charges vide its notice dated 27.10.2012 in the instant suit is acceded to and the

plaintiff realizes the money.

(c)the costs of the suit.

For Plaintiff : Mr.K.Ashok Kumar

For Defendants : Mr.G.Bharadwaj for D5

J U D G M E N T

The learned counsel appearing for the plaintiff seeks permission of this Court to withdraw this Civil Suit and also made an endorsement in the Suit to that effect.

2. In the light of the submission and endorsement made by the learned counsel appearing for the Plaintiff, the Civil Suit is dismissed as withdrawn. No costs.

07.11.2019

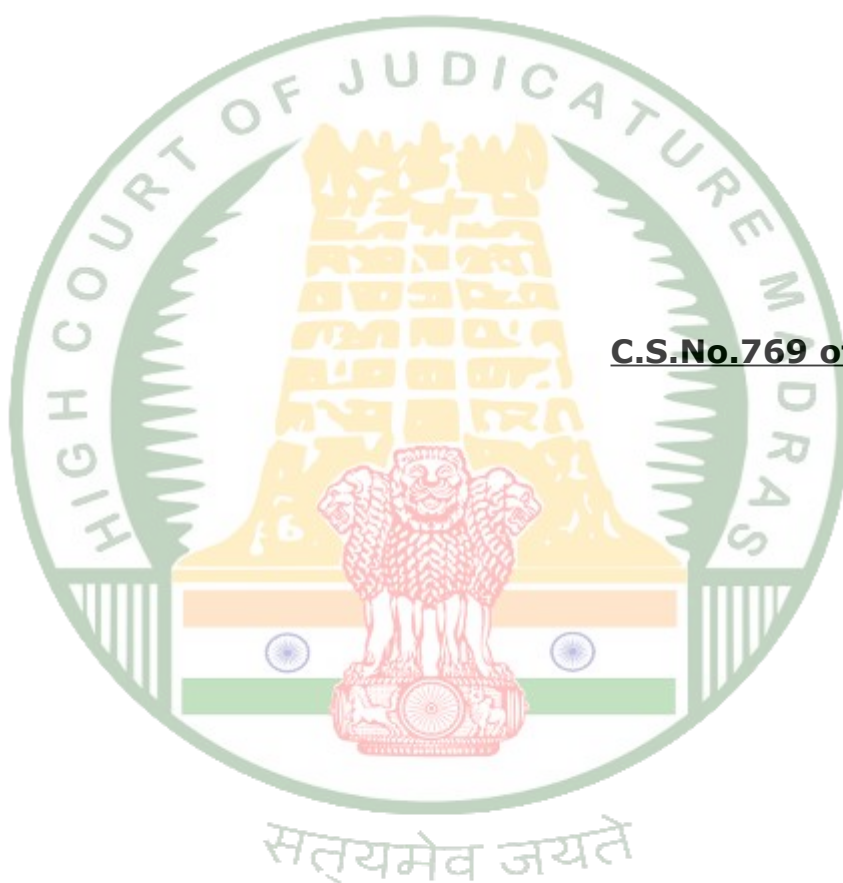
Index : Yes/No

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N.SATHISH KUMAR, J.,
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