

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 13.01.2020

CORAM:

THE HONOURABLE DR. JUSTICE G.JAYACHANDRAN

C.S.No.10 of 2020
and Application No.147 of 2020

M/s.Monjasa Pvt.Ltd.,
A Company incorporated under
The Laws of Singapore and
having its Office at 1, George Street,
#20-05, Singapore-049 145 and
Represented herein by Mr.R.Vetrivel .. Plaintiff

/versus/

Owners and Parties interested in
The Vessel MV NEW WIND,
Now lying at the Port of Tuticorin and is
Represented herein by her Master. .. Defendant

This Civil Suit is filed under Order XLII Rule 1, 2 & 3 of Original Side Rules read with Order VII Rule 1 of CPC prayed for (a) For a sum of USD 77,770.50 (US Dollars Seventy Seven Thousand and Seventy and Cents Fifty Only) equivalent to INR 55,82,366.50 (Indian Rupees Fifty Five Lakh Eighty Two Thousand Three Hundred and Sixty Six and paise Fifty Only), calculated at USD 1 = INR 71.78 or such other higher exchange rate as on the date of grant of relief, with further interest at 24% per annum from the date of the Invoice till the date of realization in full on the Principal Sum of USD 77,770.50; (b) For Arrest and Sale of the Defendant Vessel MV NEW WIND in as is where is condition, presently lying at the Port of Tuticorin, Tamilnadu;

(c) For a direction to adjust the Sale Proceeds of the Defendant Vessel MV NEW WIND against the Suit Claim; (d) For Costs of this Suit.

For plaintiff : Mr.S.Vasudevan

JUDGMENT

The learned counsel appearing for the plaintiff has filed a memo reporting that the matters settled out of Court and he has also made an endorsement to that effect in the plaint.

2. In view of the above endorsement, the suit is dismissed as settled out of Court. The Plaintiff shall be entitled to get refund of Court fee as per law. The order of arrest of Vessel "MV NEW WIND" passed by this Court on 09.01.2020 is raised. Consequently, all connected applications are closed.

13.01.2020

Note: Issue today (i.e. 13.01.2020)

Speaking Order / Non-Speaking Order

Index : yes/no

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Dr.G.JAYACHANDRAN,J.

rpl



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