

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.03.2020

CORAM :

The HON'BLE MR.JUSTICE M.DURAIWAMY

C.S.No.139 of 2020
and A.No.1257 of 2020

Zhejiang Rayoo Shipping Service Co. Ltd.,
403 A Room, Science and Technology,
Estate Mansion, No.2121,
West Donghai Road, Zhousan
Zhejiang Province, China
rep by its Power of Attorney Agent
V.Vedachalam
having Office at
No.8, 8th Street,
Dr.Radhakrishnan Salai,
Mylapore, Chennai - 600 004. ... Plaintiff

Vs.

Owners and Parties interested in the
vessel TROGIR
now lying at the VO Chidambaranar Port,
Tuticorin rep by its Master ... Defendant

Plaint filed under Order XLII Rule 1, 2 and 3 of the Madras High Court
Original Side Rules read with Order VII Rule 1 of the Code of Civil Procedure
praying for judgment and decree against the defendant; a) for a sum of US \$
45,066.40 (US Dollar Forty Five Thousand and sixty six only) equivalent to
Rs.33,34,914/- (Rupees thirty three lakhs thirty four thousand nine hundred
and fourteen only) calculated at the rate of 1 US \$ = Rs.74 along with
interest at the rate of 18% p.a. Thereon from the date of this plaint till the
date of realization of such higher rate as on the date of decree b) for arrest

and sale of the defendant Vessel MV TROGIR in as is where is condition together with the engines, tackles, cranes, paraphernalia, fixtures, furniture and fittings, presently in Indian waters at VO Chidambaranar Port, Tuticorin, Tamil Nadu State, India within the jurisdiction of this Hon'ble Court and territorial waters of India. c) for a direction to adjust the sale proceeds of the defendant Vessel MV TROGIR against the suit claim d) and for costs of this suit.

For Plaintiff : Mr.Rahul Balaji
for M/s.P.Giridharan

J U D G M E N T

Mr.Rahul Balaji, learned counsel appearing for the plaintiff submitted that the parties had settled the matter out of Court and that the defendants had paid the entire dues payable to the plaintiff and to that effect, the plaintiff has also filed a memo dated 24.03.2020 seeking permission of this Court to withdraw the Civil Suit and the learned counsel for the plaintiff has also made an endorsement.

2.The memo of withdrawal filed by the plaintiff is taken on record and the suit is dismissed as withdrawn. The terms of the memo dated 24.03.2020 shall form part of the decree in the Civil suit. The arrest of the

Vessel MV TROGIR made by order dated 19.03.2020 stands lifted. No costs.

Consequently, the connected application is closed.

Index : Yes/No
va

24.03.2020

Note: (i) The Registrar General is directed to communicate the order passed in this Civil Suit to the VO Chidambaranar Port, Tuticorin forthwith.

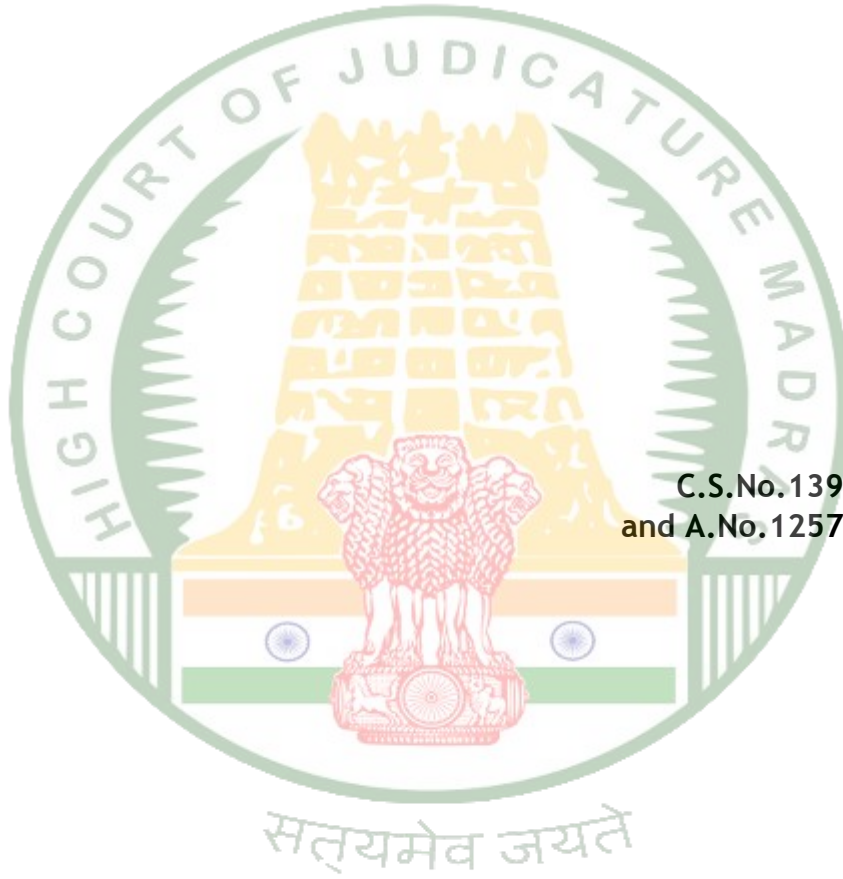
(ii) Upload a copy of the order in the website.



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M. DURAISWAMY, J.

va



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