



C.S.No.638 of 1999

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.09.2022

CORAM

THE HON'BLE MR. JUSTICE C.V.KARTHIKEYAN

Civil Suit No.638 of 1999

Spence & Co.,
a Registered Partnership Firm,
rep. By M.Ramachandran,
Managing Partnership 220, N.S.C., Bose Road,
Chennai – 1.

... Plaintiff

versus

M/s.Owneres and Parties interested
in the vessel (Tanker) “DOXA”
represented by its Master now at
Andhra Pradesh

... Defendant

Prayer: The Civil Suit filed under Order XLII Rule 3 of the Original Side Rules, seeking to pass a Judgment and decree against the defendant for a sum of Rs.6,79,035/- together with interest at the rate of 24% per annum on Rs.6,06,371/- from the date of plaint till the date of realization in full and for arrest and sale of the vessel M.T.Doxa in as is where is condition, presently in Indian Waters at the port of Kakinada and for a direction to adjust the sale proceeds against the suit claim with interest and for costs of the suit.

For Plaintiff : No appearance



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C.V.KARTHIKEYAN,J.

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JUDGMENT

The suit had been filed for recovery of sum of Rs.6,79,035/- and for arrest and sale of the vessel M.T.Doxa.

2. Arrest had been directed by an order dated 20.08.1999. The records do not reflect any effective proceedings thereafter. It is highly doubtful whether the cause for the suit still survives.

3. Since, there is no representation on behalf of the plaintiff, the suit is dismissed for non-prosecution. No costs.

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Index:Yes/No

Speaking Order : Yes/No

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