



WEB COPY

C.S. No.75 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 25.06.2024

CORAM:

THE HONOURABLE Mr. JUSTICE P.VELMURUGAN

C.S. No.75 of 2011

1.KYAW LIN TUN

2. YE WINT ZAW

3. NAING LIN TUN

... Plaintiffs

Vs.

Presently on Board the Vessel
MV OSM ARENA
Now lying at the outer Anchorage
Port of Chennai, Tamil Nadu
Rep. by their Power Agent,
C.D.Rajesh Kumar
No.378, Annai Indira Street,
T.V.Puram,
Ponneri 601 204.

... Defendants

Civil Suit is filed under Order XLII Rule 1, 2 & 3 of the Original Side Rules read with Order VII Rule 1 Civil Procedure Code for a judgment and decree against the defendant:



a) For a sum of Rs.4,18,294.72/- being the equivalent value of U.S.\$9,213.54 at the rate of US \$ 1/- = Rs.45.40/- being the wages and compensation payable up to 31.01.2011 together with future wages till the date of signing off from the defendant vessel;

b) for arrest and sale of the defendant Vessel MV OSM ARENA in as is where is condition, together with engines, gears, tackles, apparels, plant, machinery, furniture & fixtures and paraphernalia presently lying at the outer anchorage at Port of Chennai, Tamil Nadu or wherever found within the territorial waters of India;

c) for a direction to adjust the sale proceeds of the defendant Vessel MV OSM ARENA against the suit claim;

d) for costs of the suit.

For Plaintiffs : Mr.K.Krishnaswamy

For Defendants : No appearance

JUDGMENT

When the matter is taken up today, the learned counsel for the plaintiffs submitted that the parties have settled their dispute outside Court and hence the present suit may be dismissed as settled out of Court. He had also made an endorsement to that effect in the plaint.



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2. In view of the submission made by the learned counsel for the plaintiffs and the endorsement made by him in the plaint, this Civil Suit is dismissed as settled out of Court. No costs.

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P.VELMURUGAN, J.

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