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C.S. (Comm.Div.) No.150 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.11.2024

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THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

C.S. (Comm.Div.) No.150 of 2024 and A.No.4198 of 2024

Aditya Marines,
represented by its Managing Partner
Rama Raju

.. Plaintiff

-VS-

Owners and Parties interested in the
Vessel Dolphin No.1,
IMO No.9153317, Flying with Indian Flag,
Now lying at the Karaikal Port, Karaikal,
represented herein by its Master

.. Defendant

Prayer: Complaint filed under Order XLII, Rule 1, 2 and 3 of the Madras High Court Original Side Rules read with Order VII Rule 1 of C.P.C. and Sections 3 & 4 of the Admiralty (Jurisdiction and Settlement of Maritime Claims) Act, 2017 and Section 7 of the Commercial Courts Act, 2015 prays for a judgment and decree against the defendant vessel as follows:

a) for a sum of Rs.35,71,342.47 (Rupees Thirty Five Lakhs Seventy One Thousand Three Hundred and Forty Two and Forty Seven Paise) along with interest @ 24% p.a. from the date of the complaint till the date of realisation or such higher rate as on the date of decree;

b) for arrest and sale of the defendant vessel Dolphin No.1 in as is where is condition, together with the engines, tackles, cranes, paraphernalia,

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fixtures, furniture and fittings, presently in Indian Waters at Karaikal Port, Tamil Nadu State, India within the jurisdiction of this Court and territorial waters of India;

c)for a direction to adjust the sale proceeds of the defendant vessel Dolphin No.1 against the suit claim and

d)for costs of this suit.

For Plaintiff : Mr.Aditya Sarangarajan

For Defendant : Mr.K.M.Anand

JUDGMENT

Learned counsel for the plaintiff submits that this suit has been settled out of Court. He has made an endorsement to that effect in the Court bundle. Accordingly, this Suit is dismissed as settled out of Court.

2.Registry is directed to refund full court fees to the plaintiff. Consequently, connected application is closed. No costs.

11.11.2024

vga

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