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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.12.2025

CORAM:

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

C.S.No.387 of 2011

Spence and Co,
represented by its Partner
Mr.R.Rajamanickam
New No.30, Old No.220,
N.S.C.Bose Road,
Parrys, Chennai 600 001

Plaintiff

Vs

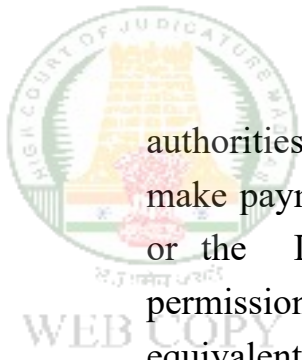
Owners and persons interested
in the vessel M.V.BOS ANGLER,
now lying at the Port of Tuticorin
represented by its Master

.. Defendant

PRAYER :

Plaint filed under Order 42, Rule 2 and 3 of the Madras High Court Original Side Rules praying for a judgment and decree against the Defendant Vessel as follows:-

a) for a sum of Rs.1,49,484.07 (Rs.68,76,267) together with interest the rate of 18% per annum from the date of plaint till the date of realisation subject to the permission of the concerned authorities under the Foreign Exchange Management Act, 1999, being granted and that in the event of the foreign exchange



authorities not granting the requisite permission or the Defendant not wanting to make payment in foreign currency, even though such permission has been granted or the Defendants not making payment in foreign currency, whether such permission has been granted or not, the Defendant do pay to the Plaintiff, the rupee equivalent of the foreign currency sum claimed at the rate of exchange prevailing on the date of the Judgment.

b) For the arrest and sale of the Defendant vessel MV BOS ANGLER together with engines, tackles, cranes, derricks, machinery and the paraphernalia and other articles on board the said vessel presently lying in the Indian waters at the Port of Tuticorin or wherever found within the territorial waters of India.

c) For a direction to adjust the sales proceeds of the Defendant vessel BOS ANGLER against the suit claim.

d) For payment of costs of the suit.

For Plaintiff : Mr. P. Giridharan

JUDGMENT

Learned counsel for the plaintiff submitted that nothing survives in the suit in view of the subsequent development that took place. Recording the same, this suit is closed. No costs.



04.12.2025

Index : Yes/No

Internet: Yes/No

msr

N. ANAND VENKATESH, J.

msr



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