

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 26.06.2020

CORAM

**THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR**

**A.No.1388 of 2020 & C.S.No.152 of 2020**

Angre Port Private Ltd.,  
Represented by its Director Eshaan Lazarus  
having address at 4<sup>th</sup> Floor, Bakhtawar,  
Nariman Point, Mumbai. .. Applicant

Vs

Owners and Parties interested in the  
Vessel TUG VARAHI (IMO : 9113757)  
now lying at Adani Port, Kattupalli and  
represented herein by its Master .. Respondent

**Prayer:** Applicant filed seeking direction for the arrest of the defendant vessel, TUG VARAHI [IMO : 9113757] together with her hull, engines gears, tackles, bunkers machinery, apparel, plant, furniture, fixtures, appurtenances and paraphernalia, plant and machinery at present lying at Adani Port, Kattupalli or wherever she is within the territorial water of India until the satisfaction of the Plaintiff's claim as per particulars of claim.

For Applicant : Mr.A.Prathnesh Kamath  
for Mr.Rahul M.Shankar

For Respondent : Mr.Subharanjani Ananth  
for Mr.M.Nallathambi

**ORDER**

Heard the learned counsel appearing for the applicant and the learned Counsel appearing for the respondent though video conferencing.

2. The learned counsel for the applicant submitted that a memo of compromise was entered between the parties after the exparte Order passed by the Court dated 19.06.2020 for arrest of the vessel.

3. Now both the counsels submitted through video conferencing that consensus have been arrived between them for settlement and post dated cheques have also been issued and the memo of compromise arrived between the parties has also been filed.

4. The learned counsel for the defendant submitted that as the matter has been reached compromise, the ship stationed in the port may be released or else it will invite several expenses to the defendant.

5. In such view of the matter, as the matter has been settled between the parties, the ship stationed in Adani Port, Kattupalli may be released and

the Order of arrest of the ship is withdrawn. The memo of compromise entered between the parties is recorded.

6. In view of the pandemic situation, as the registry is not functioning in full strength, the port authorities are directed to release the ship and directed to allow the ship to sail without warrant of release, since there may be delay in preparation of warrant of release by the registry. The port authorities shall take note of the web copy of the Order, without insisting for certified copies.

7. with above direction, the application is disposed of.

26.06.2020

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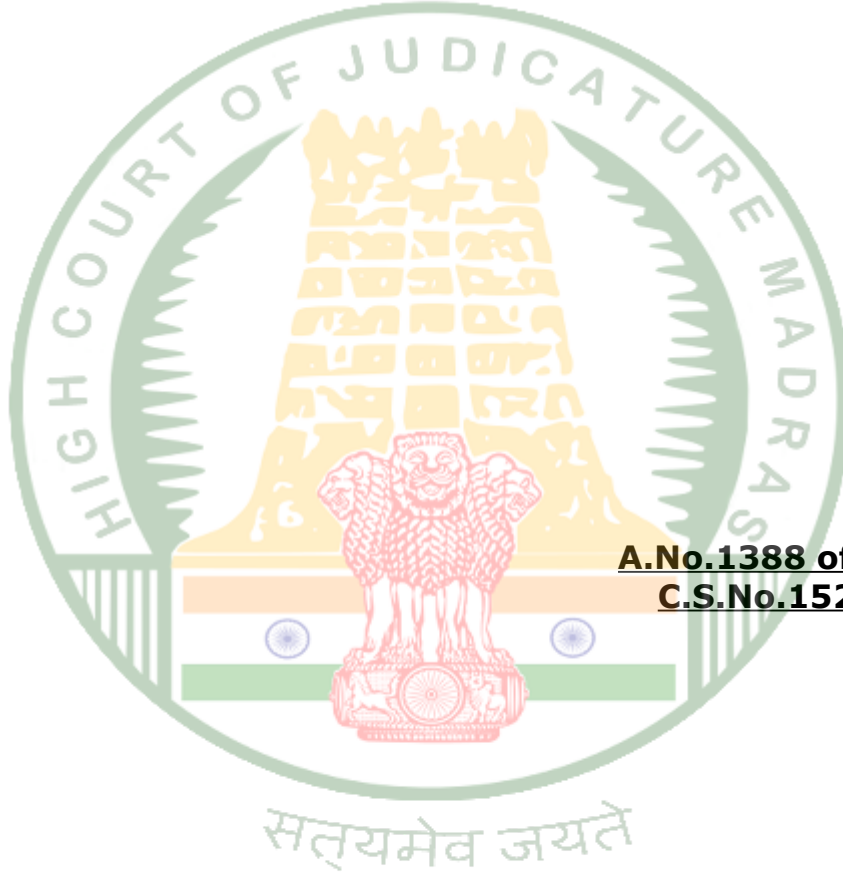
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**N.SATHISH KUMAR, J.**

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