

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE T.R.RAVI

Thursday, the 11th day of January 2024 / 21st Pousha, 1945

ADML.S. NO. 1 OF 2024

PLAINTIFF:

MARINETECH SHIP MANAGERS AND SURVEYORS A PARTNERSHIP FIRM HAVING ITS OFFICE AT 503/504, FIFTH FLOOR, DR. OZLER FORUM, VASCO-DA-GAMA, GOA-403802, INDIA, THROUGH ITS PARTNER SARVESHWAR S DHOND REPRESENTED BY ITS POWER OF ATTORNEY HOLDER MR. SUJITH P.S, AGED 30, S/O P.V. SUSHEER, RESIDING AT 12/1125, PULIMOOTIL PARAMBU, PANAYAPILLY, MATTANCHERRY, ERNAKULAM, KERALA , PIN - 682002

BY ADVS.PRANOY K.KOTTARAM,ATHUL BABU,SIVARAMAN P.L,

DEFENDANT:

1. MT JUMBO (IMO NO. 9290335) (AND HER OWNERS AND ALL OTHER PERSONS CONCERNED AND/OR INTERESTED IN HER) A VESSEL FLYING THE FLAG OF GABON TOGETHER WITH HER HULL, TACKLE, MACHINERY, BOATS, BUNKERS, EQUIPMENT, PARAPHERNALIA AND ALL OTHER APPURTENANCES PRESENTLY IN THE PORT AND HARBOUR OF COCHIN, WITHIN THE TERRITORIAL WATERS OF INDIA AND WITHIN THE ADMIRALTY JURISDICTION OF THIS HON'BLE COURT, REPRESENTED BY HER MASTER., PIN - 682003
2. THE DEPUTY CONSERVATOR, COCHIN PORT TRUST, WILLINGDON ISLAND, COCHIN – 682003, PIN - 682003

This Admiralty suit having come up for orders on 11.01.2024, the court on the same day passed the following:

ORDER

T.R. RAVI, J.

Admiralty Suit No.1 of 2024

Dated this the 11th day of January, 2024

ORDER

Heard the learned counsel appearing for the plaintiff.

2. The suit is filed seeking a decree for a sum of Rs.22,08,728/- along with interest at the rate of 2% per month from the date of filing of the suit till the date of payment/realisation. The claim is for supply of spares and equipments required for the 1st defendant vessel such as electric motor, mechanical seals, various types of bearings, washers, rings, belts, gaskets, nuts alongwith Aux boiler, pre heater fresh water etc. It is contended that the vessel is presently lying at the Cochin Port Trust within the territorial waters of this Court.

2. On going through the averments in the plaint and also the affidavit filed in support of the application and the documents produced along with it, I am satisfied that a *prima facie* case warranting an *ex parte* order of arrest has been made out. Accordingly, a conditional order of arrest is issued.

3. The 1st defendant vessel, along with her hull, tackle, engine, machinery spares, gear, apparel, paraphernalia, furniture etc. presently anchored in the Cochin Port Anchorage is ordered

to be arrested until an amount of Rs.22,08,728/- is deposited before this Court or until the 1st defendant furnishes security for the said amount to the satisfaction of this Court.

4. It is ordered that the Deputy Conservator of Ports, Cochin Port Trust, shall execute the warrant and effect the arrest, seizure and detention of the 1st defendant vessel MT JUMBO (IMO No.9290335) along with its hull, tackle, engines, machinery, boats, bunkers, equipments, peripherals and other appurtenants as ordered above.

H/o



Sd/-
T.R. RAVI
JUDGE

dsn