

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

FRIDAY, THE THIRTEENTH DAY OF MARCH

TWO THOUSAND AND TWENTY SIX

:PRESENT:

HONOURABLE SMT JUSTICE V.SUJATHA

IA No. 2 OF 2026

IN

COMS NO: 6 OF 2026



Between:

PT INDOFUELS LIMITED, Having its office at 18/F Kingsfield Centre, Unit 03, 18 Shell Street, North Point, Hong Kong, represented through its Authorised Representative Mr. Madala Srinivas.

...Petitioner

(Petitioner/Plaintiff in COMS 6 OF 2026

on the file of High Court)

AND

1. M.V. HOANG ANH 10 (IMO 9331751), a motor vessel flying the flag of Tuvalu along with her hull, tackle, boats, equipment, appurtenances, machinery and all other paraphernalia, and her owner and all other persons concerned and/ or interested in her, presently in the port and anchorage of Kakinada, within the territorial waters over which this Honble Court exercises jurisdiction.
2. The Port Officer, Kakinada Port and Harbour and the Kakinada Seaports, having its office at Port Area, Kakinada - 533001.

...Respondents

(Respondents/Defendants in-do-)

Whereas the Petition under Order 39 Rule 1 & 2 R/w 151 of CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased prayed that pending hearing and disposal of the suit, the Defendant No.1 Vessel, M.V. HOANG ANH 10 (IMO

9331751) a motor vessel flying the flag of Tuvalu along with her hull, tackle, boats, machinery, appurtenances and all other paraphernalia, presently at the port and harbour of Kakinada, be arrested and detained under the orders of this Hon'ble Court and/or be restrained from sailing out of the port and harbour of Kakinada Port, till security towards the Plaintiffs claim of US\$ 914,697.48 (United States Dollars Nine Hundred and Fourteen Thousand Six Hundred Ninety Seven, and Forty Eight Cents Only) in the suit/other appropriate proceeding is furnished, Pending disposal of COMS No. 6 of 2026, on the file of the High Court.

And whereas the court upon perusing the suit and the affidavit filed in support thereof and upon hearing the arguments of Sri Sai Sanjay Suraneni, Advocate for the Plaintiff, directed the Registry to issue warrant of arrest against the 1st Respondent/1st Defendant vessel by name "M.V. HOANG ANH 10 (IMO 9331751)" a motor vessel flying the flag of Tuvalu along with her hull, tackle, boats, machinery, appurtenances and all other paraphernalia presently at Port Harbour, Kakinada, within the territorial waters jurisdiction of this Court.

Therefore, You viz;

The Port Officer, Kakinada Port and Harbour and the Kakinada Seaports, having its office at Port Area, Kakinada - 533001.

are hereby directed to arrest the 1st respondent/1st defendant vessel "M.V. HOANG ANH 10 (IMO 9331751)" a motor vessel flying the flag of Tuvalu along with her hull, tackle, boats, machinery, appurtenances and all other paraphernalia presently at Port Harbour, Kakinada, within the territorial waters jurisdiction of this Court, in the territorial waters and all other paraphernalia, presently at Port Harbour, Kakinada, within the territorial waters jurisdiction of this Court, in the event of 1st respondent/1st defendant failure to furnish security for USD 914,767.4 in the form of a bank guarantee

within twenty four (24) hours of the service of the arrest warrant, to the satisfaction of the Principal District Judge, East Godavari District.

You are also directed to submit compliance report in detail to the Registrar (Judicial), High Court of Andhra Pradesh, Amaravati, preferably on or before 17.03.2026 from the date of arrest of the Vessel, after execution of the arrest of the vessel.

Herein fail not.

U.M.2
13/3/26
DEPUTY REGISTRAR

To,

1. **The Registrar (Judicial)**, High Court of Andhra Pradesh at Amaravati.
2. The Principal District Judge, Rajamahendravaram, East Godavari District
3. The Port Officer, Kakinada Port and Harbour and the Kakinada Seaports, having its office at Port Area, Kakinada - 533001.
(Addressees 2 & 3 by Speed Post/E-mail)
3. One spare copy

PSR

HIGH COURT

VS,J

DATED:13/03/2026

NOTE:POST THIS MATTER ON 17.03.2026.

ORDER

IA No. 2 OF 2026
IN
COMS NO: 6 OF 2026

WARRANT OF ARREST



IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

FRIDAY, THE THIRTEENTH DAY OF MARCH

TWO THOUSAND AND TWENTY SIX

:PRESENT:

HONOURABLE SMT JUSTICE V.SUJATHA

IA No. 2 OF 2026

IN

COMS NO: 6 OF 2026



Between:

PT INDOFUELS LIMITED, Having its office at 18/F Kingsfield Centre, Unit 03,
18 Shell Street, North Point, Hong Kong, represented through its Authorised
Representative Mr. Madala Srinivas.

...Petitioner

(Petitioner/Plaintiff in COMS 6 OF 2026

on the file of High Court)

AND

1. M.V. HOANG ANH 10 (IMO 9331751), a motor vessel flying the flag of Tuvalu along with her hull, tackle, boats, equipment, appurtenances, machinery and all other paraphernalia, and her owner and all other persons concerned and/ or interested in her, presently in the port and anchorage of Kakinada, within the territorial waters over which this Honble Court exercises jurisdiction.
2. The Port Officer, Kakinada Port and Harbour and the Kakinada Seaports, having its office at Port Area, Kakinada - 533001.

...Respondents

(Respondents/Defendants in-do-)

Counsel for the Petitioner/Plaintiff :Sri Sai Sanjay Suraneni

Counsel for the Respondent :---

Petition under Order 39 Rule 1 & 2 R/w 151 of CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased prayed that pending hearing and disposal of the suit, the Defendant No.1 Vessel, M.V. HOANG ANH 10 (IMO 9331751) a motor vessel flying the flag of Tuvalu along with her hull, tackle, boats, machinery, appurtenances and all other paraphernalia, presently at the port and harbour of Kakinada, be arrested and detained under the orders of this Hon'ble Court and/or be restrained from sailing out of the port and harbour of Kakinada Port, till security towards the Plaintiffs claim of US\$ 914,697.48 (United States Dollars Nine Hundred and Fourteen Thousand Six Hundred Ninety Seven, and Forty Eight Cents Only) in the suit/other appropriate proceeding is furnished, Pending disposal of COMS No. 6 of 2026, on the file of the High Court.

The court while directing issue of notice to the Respondents herein to show cause as to why this application should not be complied with, made the following order.(The receipt of this order will be deemed to be the receipt of notice in the case).

ORDER:

- 1. This interlocutory application is filed by the petitioner/plaintiff under Order XXXIX Rules 1 and 2 read with Section 151 of the Code of Civil Procedure, by invoking the admiralty jurisdiction of this Court under Section 5(1)(a) read with Section 4(1)(h) of the Admiralty (Jurisdiction and Settlement of Maritime Claims) Act, 2017, to arrest and detain the respondent No.1/defendant No.1 - "M.V. HOANG ANH (IMO No.9331751), a motor vessel, currently at Kakinada Port, flying the flag of Tuvalu, along with her hull, tackle, boats, machinery, appurtenances and all other paraphernalia, till the 1st respondent/1st defendant deposits USD 914,767.4.**

2. The petitioner/plaintiff is a company incorporated under foreign laws and is engaged in the business of bunker trading and supplying bunkers to vessels. The respondent No.1/defendant No.1 vessel is a seagoing vessel, flying the flag of Tuvalu. The respondent No.1/defendant No.1 vessel and M.V. HOANG ANH 18, M.V. HOANG ANH 02, M.V. HOANG ANH 03 and M.V. HOANG ANH 05 are all sister vessels and are owned by Hoang Giang Shipping Corporation Limited, Son Ca Trading Transport Company Limited and H.A.S. Container Shipping Limited Company (hereinafter referred to as 'owners').
3. In the months of September and October, 2025, the owners approached the petitioner/plaintiff for the purpose of supplying VLSFO and Marine gas oil to the 1st respondent's/1st defendant's sister vessel 'M.V. HOANG ANH 03' at Singapore, which was accepted by the petitioner/plaintiff and issued sales order confirmation on 25.09.2025. Pursuant to the same, the petitioner/plaintiff supplied the bunkers on 18.10.2025 and raised an invoice on 18.10.2025 for USD 178,687.86. As per the invoice raised, the amount has to be credited within 60 days from the date of delivery/supply of bunkers and an interest of 2% per month or pro-rata will be applied on any late payment after the due date of the invoice. Accordingly, the owners paid the principal sum of USD 178,687.86, however with a delay. In the case on hand, the due date is 16.12.2025 and the amount payable by the owners towards interest to the petitioner/plaintiff is USD 7,049.60.
4. In the months of September and October, 2025, the owners approached the petitioner/plaintiff for the purpose of supplying Marine gas oil to the 1st respondent's/1st defendant's sister vessel 'M.V. HOANG ANH 05' at Chittagong, which was accepted by the petitioner/plaintiff and issued sales order

confirmation on 30.09.2025. Pursuant to the same, the petitioner/plaintiff supplied the bunkers on 04.10.2025 and raised an invoice on 04.10.2025 for USD 67,076.19. As per the invoice raised, the amount has to be credited within 60 days from the date of delivery/supply of bunkers and an interest of 2% per month or pro-rata will be applied on any late payment after the due date of the invoice. Accordingly, the owners paid the principal sum of USD 67,076.19, however with a delay. In the case on hand, the due date is 02.12.2025 and the amount payable by the owners towards interest to the petitioner/plaintiff is USD 2,602.19.

5. In the month of October, 2025, the owners approached the petitioner/plaintiff for the purpose of supplying VLSFO and Marine Gas Oil to the 1st respondent's/1st defendant's sister vessel 'M.V. HOANG ANH 02 at Singapore, which was accepted by the petitioner/plaintiff and issued sales order confirmation on 09.10.2025. Pursuant to the same, the petitioner/plaintiff supplied the bunkers on 20.10.2025 and raised an invoice on 19.10.2025 for USD 493,235.50. As per the invoice raised, the amount has to be credited within 60 days from the date of delivery/supply of bunkers and an interest of 2% per month or pro-rata will be applied on any late payment after the due date of the invoice. Accordingly, the owners paid the part payment of USD 93,235.5 [USD 20,000 on 13.02.2026, USD 33,235.50 on 28.02.2026 and USD 40,000 on 05.03.2026]. The respondent No.1/defendant No.1 still has to pay an outstanding principal sum of USD 400,000 under invoice dated 19.10.2025.
6. In the month of October, 2025, the owners approached the petitioner/plaintiff for the purpose of supplying VLSFO and Marine Gas Oil to the 1st respondent's/1st defendant's sister vessel 'M.V. HOANG ANH 18 at Singapore, which was accepted

by the petitioner/plaintiff and issued sales order confirmation on 24.12.2025. Pursuant to the same, the petitioner/plaintiff supplied the bunkers on 24.12.2025 and raised an invoice on 24.12.2025 for USD 352,310.87. As per the invoice raised, the amount has to be credited within 60 days from the date of delivery/supply of bunkers and an interest of 2% per month or pro-rata will be applied on any late payment after the due date of the invoice. But, till date, the owners have not paid the principal sum of USD 352,310.87 under the invoice dated 24.12.2025.

7. Though the petitioner/plaintiff issued multiple reminders via email and demands, the last being on 03.03.2026, to the owners to make payment of the balance outstanding sums payable under the aforementioned invoices, till date the owners have not chosen to pay the same, but have requested for further time through email. Thus, the petitioner/plaintiff is entitled to a decree for a sum of USD 914,767.4 [comprising of the principal sum of USD 752,310.87, legal costs of USD 120,780, interest aggregating USD 41,601.61 and further interest @ 2% per on the principal sum of USD 752,310.87].
8. It is the case of the petitioner/plaintiff that the respondent No.1/defendant No.1 is the only asset within the jurisdiction of this Court available to the plaintiff for satisfaction of its maritime claim and maritime lien. The 1st respondent/defendant No.1 sister vessel has arrived at Kakinada Port (respondent No.2/defendant No.2) on 10.03.2026 and is currently located within the territorial jurisdiction of this Court and if it sails out, the petitioner/plaintiff would be put to irreparable loss. Therefore, there is urgency to arrest and detain the 1st respondent/1st defendant vessel.

9. Learned counsel for the petitioner/plaintiff gave an undertaking in writing to pay such sums by way of damages as this Court may award as compensation in the event of the 1st respondent/1st defendant vessel sustaining any prejudice by this order.
10. The presence of the 1st respondent/1st defendant sister Vessel within the jurisdiction of this Court, prima faice, shows tenability of the claim of the petitioner/plaintiff to invoke maritime jurisdiction.
11. The petitioner's/plaintiff's case is that the beneficial ownership and control of the respondent No.1/defendant No.1 vessel and M.V. HOANG ANH 18, M.V. HOANG ANH 02, M.V. HOANG ANH 03 and M.V. HOANG ANH 05 are with the owners and thus all the vessels are sister vessels. Thus, the petitioner/plaintiff has a claim against the 1st respondent/1st defendant vessel as the remaining vessels are its sister vessels and is liable for arrest in rem under Section 5(2), Admiralty (Jurisdiction and Settlement of Maritime Claims) Act, 2017. Ordering the 1st respondent/1st defendant vessel to furnish security with an alternative to arrest and detain the Vessel would preserve the right of the petitioner/plaintiff and the same showing the balance of convenience in favour of the petitioner/plaintiff. In the event of vessel of the 1st respondent/1st defendant departing from the territorial waters jurisdiction of this Court, the petitioner/plaintiff would suffer irreparable loss. Therefore, all the necessary ingredients for granting ad-interim temporary orders for a limited period found present. Hence, the prayer of the petitioner/plaintiff in that regard is found justified.
12. For the reasons stated above:

(a) there shall be arrest of the 1st respondent/1st defendant vessel (M.V. HOANG ANH 10 (IMO No:9331751)), a motor vessel flying the flag of Tuvalu along with her hull, tackle, boats, machinery, appurtenances and all other paraphernalia, presently at Port Harbour, Kakinada, within the territorial waters jurisdiction of this Court, in the event of 1st respondent/1st defendant failure to furnish security for USD 914,767.4 in the form of a bank guarantee within twenty four (24) hours of the service of the arrest warrant, to the satisfaction of the Principal District Judge, East Godavari District.

(b) the Principal District Judge, East Godavari District will extend required assistance by deputing necessary staff for the above purpose.

(c) the 2nd respondent/2nd defendant authority shall provide access and necessary assistance for implementation of the orders.

(d) Warrant will be returned as early as possible with a detailed report, preferably on or before 17.03.2026, stating the manner in which it has been executed.

(e) the petitioner/plaintiff shall take personal notice to respondents/defendants through Speed Post/e-mail;

(f) the petitioner/plaintiff shall transmit all copies of the present proceedings both main suit and the Interlocutory application to the defendants through Speed Post and also e mail, within twenty four (24) hours.

Sd/-U.SRIDEVI
DEPUTY REGISTRAR


SECTION OFFICER

//TRUE COPY//

To,

1. **The Registrar (Judicial), High Court of Andhra Pradesh at Amaravati**
2. The Principal District Judge, Rajamahendravaram, East Godavari District **(by Speed Post/E-mail along with a copy of petition and affidavit)**
3. M.V. HOANG ANH 10 (IMO 9331751), a motor vessel flying the flag of Tuvalu along with her hull, tackle, boats, equipment, appurtenances, machinery and all other paraphernalia, and her owner and all other persons concerned and/ or interested in her, presently in the port and anchorage of Kakinada, within the territorial waters over which this Honble Court exercises jurisdiction. **(By Speed Post)**
4. The Port Officer, Kakinada Port and Harbour and the Kakinada Seaports, having its office at Port Area, Kakinada - 533001. **(By Speed Post/E-mail - along with a copy of petition and affidavit)**
5. One CC to Sri Sai Sanjay Suraneni, Advocate [OPUC]
6. The Section Officer, O. S Section, High Court of Andhra Pradesh, Amaravati
7. **One spare copy**

PSR

HIGH COURT

VS,J

DATED:13/03/2026

NOTE:POST THIS MATTER ON 17.03.2026.

ORDER

IA No. 2 OF 2026
IN
COMS NO: 6 OF 2026

DIRECTION

