

HON'BLE SRI JUSTICE S.V. BHATT

W.P. No.28595 OF 2017

ORDER:

The issue arises under the Major Port Trust Act, 1963. The petitioner prays for the following relief:

“... Writ of Mandamus or any other appropriate Writ or Writs, Order or Direction declaring the tariff Order 2009 (1st Respondent's Order No. TAMP/39/2008-VPT dated February 12, 2009 notified vide Gazette No.26 dated 24 February 2009) and Tariff Order 2015 (1st Respondent's Order No. TAMP/49/2015-VPT dated September 4, 2015 notified vide Gazette No.338 dated 29 September 2015) to the extent of berth hire and storage charges as illegal, arbitrary, unjust, unreasonable and against the Tariff Guidelines 2008, and consequently quash the same to the extent of berth hire and storage charges and to direct the 1st Respondent to fix a fresh tariff order for berth hire and storage charges at WQ6 berth...”.

Though an attempt was made to persuade this Court on the alleged illegality in fixing scale of rates by 1st respondent, Mr.SNiranjan Reddy limited his submission by contending that the petitioner is satisfied if the 1st respondent considers and disposes of representations dated 16.06.2017 and 30.06.2017 by hearing the petitioner and the 2nd respondent.

Mr.P.Veera Reddy submits that the 1st respondent since has received representations, the 1st respondent would consider and dispose of the representations.

The statements of learned counsel are placed on record and the writ petition is disposed of by this order:

a) The 1st respondent considers and disposes of representations dated 16.06.2017 and 30.06.2017 after affording opportunity to petitioner and 2nd respondent within eight (8) weeks from the date of receipt of a copy of this order. The petitioner is given liberty to communicate the order to 1st and 2nd respondents within one week from today.

No order as to costs.

Miscellaneous petitions pending, if any, shall stand closed.

Date: 14.12.2017
Note:
C.C. forthwith.
B/o
Sp



S.V.BHATT, J