

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.02.2018

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THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

Writ Petition No.2054 of 2018

S.I.Arulraj
Director of M/s.Unicorn Maritimes (India) Pvt. Ltd.,
New No.24, Old No.322,
Thambu Chetty Street,
Chennai-600 001. ... Petitioner

Vs.

1. The Chairman
Chennai Port Trust
Chennai-600 001.
2. The Traffic Manager
Chennai Port Trust,
Chennai-600 001.
3. The Deputy Port Conservator
Chennai Port Trust,
Chennai-600 001. ... Respondents

Writ petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the respondents to consider the representations dated 16.04.2014, 20.06.2014, 30.10.2014, 05.10.2015, 14.10.2015, 15.02.2017 and 14.09.2017 and to refund the amount of Rs.4,08,092/- which was illegally deducted from the petitioner's account towards the damage charges, service tax, educational cess & cess dated 09.04.2014 and also order the respondents to compensate the petitioner.

For Petitioner : Mr.P.Prakash Paul
For Respondents : Mr.M.Palanimuthu

W R D E R

Mr.M.Palanimuthu, learned counsel takes notice for the respondents. By consent of the parties, the main writ petition is taken up for final disposal at the admission stage itself.

2. The petitioner seeks for a mandamus directing the respondents to consider the representations dated 16.04.2014, 20.06.2014, 30.10.2014, 05.10.2015, 14.10.2015, 15.02.2017 and 14.09.2017 and to refund the amount of Rs.4,08,092/- which,

according to the petitioner was illegally deducted from the petitioner's account towards the damage charges, service tax, educational cess & cess.

3. It is stated that the petitioner is a Shipping Agent. It is also stated that the respondents have deducted certain amount from the petitioner's account towards the damage charges, service tax, educational cess & cess, which according to the petitioner, ought not to have been deducted.

4. This Court, at this stage, is not expressing any view on the merits of the claim made by the petitioner, as it is for the respondents to consider and decide the same. The petitioner contends that various representations made by them before the respondents commencing from the month of April 2014 are not considered so far. Therefore, this writ petition is disposed of, only with a direction to the respondents to consider the representations made by the petitioner and pass orders on the same on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order. No costs.

Sd/-
Assistant Registrar (CS-IV)

//True Copy//

Sub Assistant Registrar

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To

1. The Chairman
Chennai Port Trust
Chennai-600 001.

2. The Traffic Manager
Chennai Port Trust, Chennai-600 001.

3. The Deputy Port Conservator
Chennai Port Trust, Chennai-600 001.

+ CC To MR.M.Padmakumar, Advocate SR.No.7518
+ CC to Mr.P.Prakash, Advocate SR.No.7931

W.P.No.2054 of 2018

AD(CO)
GN(20/02/2018)