



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 09.11.2021

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.1501 of 2016

and

WMP.Nos.1281 & 1282 of 2016

Chennai Port Stevedores Association,
A Society registered under
The Societies Registration Act (Regn.No.532/96),
having its Office at No.72 Josier Street,
1 Floor, Dr.Thirumurthy Nagar,
Nungambakkam, Chennai 600 034
Rep. by its Secretary, Ganesh Ram .. Petitioner

..Vs..

1. Union of India
Represented by its Secretary to
the Government of India,
Ministry of Shipping, Transport Bhawan,
Sansad Marg, New Delhi 110 001.
India.
2. Chennai Port Trust,
Represented by its Chairman,
1, Rajaji Salai, Chennai-600 001.
Tamil Nadu, India.
3. M/s.Roadwings International Pvt. Limited,
No.201, JA1 Anitriksh off, Andheri Kurla Road,
Andheri East, Mumbai-400 059. .. Respondents

PRAYER : Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records in relation to the award of the contract to M/s.Road Wings International Private Limited and, quash the Impugned Trade Notice No.E1/430/2014/TO dated 30.11.2015 and to consequentially direct the Second Respondent to cancel the Concession Agreement dated 3rd November 2014 executed between Chennai Port Trust and M/s.Road Wings International Private Limited and call for fresh tenders for awarding the contract



which does not provide for mandatory use of Mobile Harbour Cranes by Stevedores.

WEB COPY

For Petitioner : Mr.Gautam S.Raman

For Respondents : Mr.P.Saravanan (for R1)
Central Government Standing Counsel

Mr.Richardson Wilson (for R2)

Mr.M.Gnanasekar (for R3)

O R D E R

The learned counsel appearing on behalf of the second respondent Chennai Port Trust made a submission that the third respondent is due to pay a sum of Rs.21,10,37,463/- and therefore actions are initiated to cancel the agreement, which is impugned in the present writ petition.

2.In view of the fact that the Chennai Port Trust itself has initiated action for cancelling the agreement due to the default committed by the third respondent, no further adjudication deems to be undertaken in respect of the grounds raised in the present writ petition. However, if any grievance exists in respect of the grounds raised in the writ petition, it is left open to the petitioner to redress the grievances in the manner known to law.

3.With this observation, the writ petition stands disposed of. However, there shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

vs/kbs

To

1. The Secretary to the Government of India,
Union of India, Ministry of Shipping,
Transport Bhawan, Sansad Marg,
New Delhi 110 001, India.



2. The Chairman,
Chennai Port Trust,
1, Rajaji Salai, Chennai-600 001.
Tamil Nadu, India.

WEB COPY

W.P.No.1501 of 2016
and
WMP.Nos.1281 & 1282 of 2016

SSD (CO)
K.RK. (26.11.2021)