



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.11.2021

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.Nos.18676 and 18671 of 2021

PSA SICAL Terminals Limited,
having its Registered Office at
South India House,
36-40, Armenian Street,
Chennai 600 001
represented by its Authorized Signatory,
Deep Kishor Reddy

... Petitioner in both W.Ps.

vs.

1. Union of India,
represented by its Secretary,
Ministry of Ports, Shipping and Waterways,
Department of Shipping,
Port Department, Transport Bhawan,
No.1, Parliament Street,
New Delhi - 110 001.
2. The Committee,
Chaired by the Additional Secretary and
Financial Advisor, Ministry of Shipping,
constituted in terms of the
Office Memorandum, dated 21st July 2020
issued by the Ministry of Ports,
Shipping and Waterways,
PPP Wing, Parivahan Bhawan,
Sansad Marg, New Delhi - 110 001.
3. The Board of Trustees of
V.O. Chidambaranar Port Trust,
represented by its Chairperson,
having its Registered Office at
Administrative Building,
Tuticorin Port Trust,
Tuticorin - 628 004.

... Respondents in both W.Ps.



Prayer:-

Writ Petition No.18676 of 2021 filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the 1st Respondent to set out the Policy/the manner in which the disputes/issues between the Petitioner and Respondent No.3 are to be settled within a time frame to be determined by the Court.

Prayer:-

Writ Petition No.18671 of 2021 filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing Respondent No.1 to ensure that, the members of the Respondent No.2 Committee expeditiously proceed with the process/proceedings initiated by the Respondent No.1 vide Office Memorandum dated 21st July 2020 for settlement of disputes between the Petitioner and Respondent No.3, including necessary directions to the Respondent No.2 Committee constituted by the Respondent No.1 to submit its Report to the Respondent No.1 suggesting the way forward and solutions to the issues within a time frame fixed by this Court, after granting the Petitioner opportunity to be heard and making representations and after considering the issues raised by the Petitioner.

For Petitioner in both W.Ps. : Mr.P.H.Arvinth Pandian,
Senior Counsel

for Mr.S.Raghunathan

For Respondents in both W.Ps. : Mr.R.Rajesh Vivekananthan

C O M M O N O R D E R

When the Writ Petitions were taken up for hearing, learned Senior Counsel appearing for the Petitioner submitted that, a Memo dated 29.11.2021 is filed by the Petitioner seeking permission of this Court to withdraw the Writ Petitions without prejudice to its contentions in the Writ Petitions reserving their right to agitate all the issues including, but not limited to challenging the Office Memorandum dated 11.11.2021 itself. The said Memo is taken on record.

2. In view of the Memo dated 29.11.2021 and recording the submissions of the learned Senior Counsel appearing for the Petitioner, these Writ Petitions are dismissed as withdrawn with



liberty to the Petitioner to agitate all the issues including, but not limited to challenging the Office Memorandum dated 11.11.2021. No costs. Consequently, connected W.M.P.No.19916 of 2021 in W.P.No.18671 of 2021 is closed.

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Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

(aeb)

To:

1. The Secretary,
Union of India,
Ministry of Ports, Shipping and Waterways,
Department of Shipping,
Port Department, Transport Bhawan,
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+1cc to Mr.S. Yashwanth, 3rd Respondent Advocate, S.R.No.62871

W.P.Nos.18676 & 18671 of 2021

NR(CO)
CT 09/12/2021