



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.09.2021

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

and

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

W.A.Nos.287 and 288 of 2017 and CMP.Nos.4582 to 4584/2017 and
12302/2018

IMC Limited,

A company incorporated under the Indian
Companies Act, 1913, having its Registered
Office at :

232/A, A.J.C. Bose Road,

Kolkata, West Bengal 700 020

rep. by its Power of Attorney

Mr.M.R.Lakshminarayanan

... Appellant in both W.As.

-vs-

1. Kamarajar Port Limited,

Port Administrative Building,

Vallur, Chennai-600 120,

rep. by General Manager

(CS&BD)

... 1st respondent in W.A.287/2017

2. Union of India rep. by the

Secretary, Government of India,

Ministry of Shipping,

Transport Bhawan,

Sansad Marg,

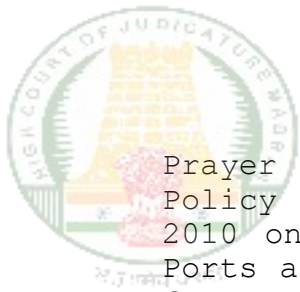
New Delhi-110 001.

... 2nd Respondent in W.A.287/2017

& respondent in W.A.288/2017

Prayer: Writ Appeals filed under Clause 15 of the Letters
Patent against the Common Order of the learned Single Judge made
in W.P.Nos.36423 and 36424/2016 dated 20.12.2016.

Prayer in WP.No.36423 of 2016: Writ of Certiorarified Mandamus
directing to call for the records pertaining to the request for
Qualifications dated June 30, 2016 for the development of Marine
Liquid Terminal-II issued by 1st Respondent and quash clause
2.2.1 of the Request for qualifications for the Marine Liquid
Terminal-II at kamarajar port dated June 30, 2016 issued by the
1st respondent and consequently direct 1st respondent to allow the
petitioner or its associate to participate in the request for
qualifications for the development of Marine Liquid Terminal-II
at kamarajar port dated June 30, 2016 tendering process and pass
such further or other orders.



Prayer in WP.No. 36424 of 2016: Writ of Declaration that the Policy No.PD-24018/8/2009/-PD.III New Delhi-1 dated August 02 , 2010 on Policy for Preventing Private Sector Monopoly in Major Ports and all consequential clauses in tenders including request for qualifications for the development of Marine Liquid Terminal-II at Kamarajar Port dated June 30, 2016 issued by Kamarajar Port Limited issued pursuant to Policy No.PD/24018/8/2009-PD.III New Delhi-1 dated August 02 2010 on Policy for Preventing Private Sector Monopoly in Major Ports be struck down as unconstitutional arbitrary unreasonable and having no rational basis and pass such further or other orders.

For Appellant : Mr.Vijay Narayan,
in both appeals Senior Counsel
for M/s.K.Gowtham Kumar

For 1st Respondent : Mr.Krishna Pandian
in W.A.287/2017

For 2nd Respondent in: Mr.B.Sudhir Kumar
W.A.287/2017 and
respondent in W.A.No.
288/2017

COMMON JUDGMENT

(Judgment of the Court was pronounced by T.RAJA.J)

These Writ Appeals have been directed against the Common Order of the learned Single Judge made in W.P.Nos.36423 and 36424/2016 dated 20.12.2016.

2. When these Writ Appeals were called today, learned Senior Counsel appearing for the appellant in both these Writ Appeals, on instructions from his client submitted that the appellant has resorted to make a detailed representation to the Government of India to consider their request, therefore, the present Writ Appeals may be dismissed as withdrawn.

3. Recording the submission of the learned Senior Counsel for the appellant, both these writ appeals are dismissed as withdrawn. No costs. Consequently, connected Miscellaneous Petitions are also closed.

Sd/-
Assistant Registrar(CS-VIII)

//True Copy//

Sub Assistant Registrar



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To

The Union of India,
Government of India,
Ministry of Shipping,
Transport Bhawan,
Sansad Marg,
New Delhi-110 001.

+1cc to Mr.V.Anantha Natarajan, Advocate, S.R.No.51171

+1cc to Mr.B.Sundhir Kumar, Advocate, S.R.No.50420

+1cc to Mr.K.Gowtham Kumar, Advocate, S.R.No.50412

W.A.Nos.287 and 288/2017

JP-II(CO)
SB(01/12/2021)