



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 21.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE **B.PUGALENDHI**

W.P (MD) Nos.11979,11980 and 11100 of 2012
and
M.P (MD) Nos.2,3,2,3,2,3 and 4 of 2012

India Port Terminals
represented by Lead Member/
Managing Partner S.Vaikundarajan,
Having Office at
Raja Agencies Business Complex,
Tuticorin - 628 008,
Tamil Nadu

... Petitioner in all W.P.s

Vs

1.The Government of India,
Represented by its Secretary,
Ministry of Shipping,
Transport Bhawan,
Sansad Marg,
New Delhi - 110 001.

2.V.O.C.Chidambaranar Port Trust,
Represented by its Chairman,
Bharathi Nagar,
Tuticorin - 628 004.

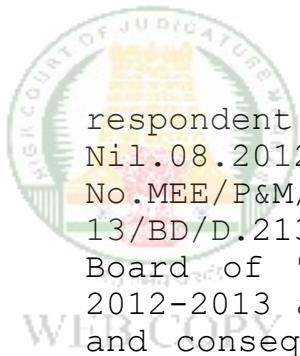
3.V.O.C.Chidambaranar Port Trust,
Represented by its Chief Mechanical Engineer,
Bharathi Nagar,
Tuticorin - 628 004.

... Respondents 1 to 3 in all WPs

4.M/s.ABG Container Handling Private Limited,
5th Floor Bhupathi Chambers,
13th Mathew Road, Mumbai - 400 004.

... Respondent No.4 in W.P(MD)Nos.
W.P(MD)Nos.11980 and
11100 of 2012

PRAYER in W.P(MD)No.11979 of 2012 : Writ Petitions filed under Article 226 of the Constitution of India for issuance of writ of certiorarified mandamus, to call for the records of the second



respondent relating to the order of disqualification dated Nil.08.2012 passed by the second respondent in proceedings No.MEE/P&M/F.19/2012/Vol-VD, based on the resolution No.S-1/3/2012-13/BD/D.2135 passed on 07.08.2012 in the First Special Meeting of Board of Trustees of V.O.Chidambaranar Port Trust, for the year 2012-2013 and quash the same insofar as the petitioner is concerned and consequently direct the respondents to open the RFP Price Bid submitted by the petitioner and thereafter issue the letter of Award to the Highest Bidder for the Project of Conversion of 8th Berth as Container Terminal on build, Operate and Transfer Basis (BOT), for a period of 30 years.

PRAYER in W.P(MD)No.11980 of 2012 : Writ Petitions filed under Article 226 of the Constitution of India for issuance of writ of certiorarified mandamus, to call for the records of the second respondent relating to the issuance of the Letter of Award (Ref.No.MEE/P&M/F.19/2012/D.3421, dated 07.08.2012) to the Fourth respondent and quash the same and consequently, direct the respondents to open the RFP Price Bid submitted by the petitioner and thereafter issue the letter of Award to the Higher Bidder as per the terms of Clause 1.2.7 read with Clause 3.3.1 of the RFP, for the Project of conversion of 8th Berth as Container Terminal on Build, Operate and Transfer Basis for a period of 30 years.

PRAYER in W.P(MD)No.11100 of 2012 : Writ Petitions filed under Article 226 of the Constitution of India for issuance of writ of certiorarified mandamus, to call for the records of the second respondent relating to the resolution No.S-1/3/2012-13BD/D.2135 passed on 08.08.2012, in the First Special Meeting of Board of Trustees of V.O.Chidambaranar Port Trust, for the year 2012-2013 and quash the same insofar as the petitioner is concerned and consequently direct the respondents to open the RFP Price Bid submitted by the petitioner and thereafter issue the Letter of Award to the Highest Bidder for the Project of Conversion of 8th Berth as Container Terminal on Build, Operate and Transfer Basis (BOT) for a period of 30 years.

For Petitioner	: No appearance in all WPs
For Respondent No.1	: Mr.S.Jeyasingh Central Government Standing Counsel
For Respondent Nos.2 and 3	: Mr.V.R.Shanmuganathan in all Wps
For Respondent No.4	: Mr.C.Muthusaravanan in W.P (MD) Nos.11980 & 1110 of 2012



ORDER

These writ petitions are filed as against the disqualification of the petitioner by the respondent Port Trust.

2. When these writ petitions were taken up for hearing, there was no representation for the petitioner on 13.04.2022 and 19.04.2022. Therefore, the matter was directed to be listed under the caption 'For Dismissal'. Despite the matter being listed under the caption for dismissal, there is no representation for the petitioner on 20.04.2022 and 21.04.2022 (today). The respondents are also not equipped with papers.

3. These writ petitions were filed in the year 2012 and keeping these matters pending anymore, no purpose would be served. Under such circumstances, these writ petitions stand dismissed. No costs. Consequently, connected miscellaneous petitions also stand dismissed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2022

Sub Assistant Registrar (CS)

To

The Secretary,
Ministry of Shipping,
Transport Bhawan,
Sansad Marg,
New Delhi - 110 001.

+3 CC to M/s. S. JEYASINGH, Advocate (SR-20155 TO 20157[F] dated 21/04/2022)

**W. P (MD) Nos. 11979, 11980
and 11100 of 2012
21.04.2022**

RD(01.06.2022) 3P 5C