



W.P.No.23374 of 2013

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.06.2025

CORAM :

THE HONOURABLE DR.JUSTICE ANITA SUMANTH
and
THE HONOURABLE MR.JUSTICE N.SENTHILKUMAR

W.P.No. 23374 of 2013

M/s Trans Asian Shipping Services (P) Ltd.,
Rep. by its Branch Manager,
Abraham Mathew,
EVS Tower, 2nd Floor,
No.21, Radhakrishnan Salai,
Mylapore, Chennai – 600 004

.. Petitioner

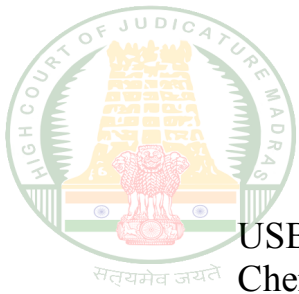
VS

1.The Tariff Authority for Major Ports,
Rep. by its Chairman,
4th Floor, Bhandar Bhavan,
M.P.Road, Mazgaon, Mumbai – 400 010.

2.The Chennai Port Trust,
Rep. by its Port Trust Chairman,
No.1 Rajaji Salai,
Chennai – 60000

3.The Chennai International Terminal (P) Ltd.,
2nd Floor North Wing, Jawahar Building,
Opp. Customs House,
No.17, Rajaji Salai,
Chennai – 600 001.

4.The Assistant Commissioner of Customs,



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USB Section Customs House,
Chennai – 600 001.

.. Respondents

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Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a writ of declaration declaring that the interim tariff arrangement ordered by the 1st respondent in case No. TAMP/10/2009-CITPL dated 15.05.2009 in respect of the operations of the 3rd respondent and particularly clause 3.12.11 of the same permitting the 3rd respondent to levy and collect storage charges on abandoned containers for the period beyond 60 days as totally illegal, ultra vires, and contrary to law and consequently direct the 3rd respondent to refund to the petitioner the sum of Rs.26,48,704/- collected from the petitioner towards storage charges for the abandoned containers bearing Nos. TEXU3375688, TEXU2365650, TLXU2003738, FCIU3497184, TLXU2002177, GESU2154951, FCIU2135031 together with interest at 18% per annum.

For Petitioner : Ms.Ambili Menon

For Respondents : Mr.Rajesh Vivekanandan
Deputy Solicitor General for R1
Mr.K.Lavan for R2
Mr.Rajnish Pathiyil, SSC
for R4
R3 – Dismissed vide order dated 22.09.16

ORDER

(Made by Dr. ANITA SUMANTH.,J)

The present writ petition is filed seeking a declaration challenging the tariff order dated 15.05.2009 and seeking a consequential refund.

2. Upon hearing the submissions of Ms.Ambili Menon, for the petitioner, Mr.Rajesh Vivekanandan, learned Deputy Solicitor General for R1, Mr.K.Lavan, apperaing for R2 and Mr.Rajnish Pathiyil, learned Senior Standing Counsel appearing for R4, we are of the view that



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nothing survives in this writ petition.

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[A.S.M., J] [N.S., J]
24.06.2025

Index:Yes/No
Neutral Citation:Yes/No
ssm

To

- 1.The Tariff Authority for Major Ports,
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- 4.The Assistant Commissioner of Customs,
USB Section Customs House,
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DR. ANITA SUMANTH, J.
and
N.SENTHILKUMAR, J.

ssm

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