



W.P.(MD) No.14831 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.12.2025

CORAM

THE HONOURABLE MR. JUSTICE KRISHNAN RAMASAMY

W.P.(MD)No.14831 of 2023

M/s.Shadi Ram & Sons Private Limited,
Through its Branch Manager,
Mr.Deshraj Sharma (Aged 49/2022),
S/o. Deshraj Sharma,
19 A, South Raja Street, 1st Floor,
Tuticorin,
Tuticorin District.

... Petitioner

Vs.

The Traffic Manager,
V.O.C. Port Trust,
Tuticorin District.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the Respondent to refund the Wharfage charges Rs.40,59,962/- (Forty Lakhs Fifty Nine Thousand Nine Hundred Sixty Two only) to our company within a specific period.



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For Petitioner : Mr.K.Ramakrishnan
For Respondents : Mr.N.Dilipkumar

ORDER

This Writ Petition has been filed seeking to direct the respondent to refund the Wharfage charges Rs.40,59,962/- (Forty Lakhs Fifty Nine Thousand Nine Hundred Sixty Two only) to the petitioner company within a specific period.

2. Learned Counsel for the petitioner would submit that with regard to refund of the Wharfage charges, the petitioner has already sent several representations to the respondent on 16.06.2022, 16.11.2022 and 12.01.2023. However, since the aforesaid representations remain unattended, the petitioner has preferred the present Writ Petition.

3. However, learned Counsel appearing for the respondent would submit that the petitioner company is not entitled to the refund of the Wharfage charges as claimed in the said representations and hence, the respondents are not in a position to refund the same.



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4. Heard the learned Counsel on either side.

5. It is the claim of the petitioner company that they are entitled to re-fund of the Wharfage charges to the tune of Rs.40,59,962/-. However, the same has not been considered by the respondent and no order has been passed by the respondent on the representations sent by the petitioner company. Hence, this Court is of the view that in the event of the respondent coming to the conclusion that the petitioner company is not entitled to claim refund, they have to assign reason for the same as to under which provision of law, the petitioner company is not entitled to re-fund and pass orders accordingly. Only then, the petitioner can challenge the same in accordance with law. Simply keeping the representations of the petitioner company pending is illegal. It is the duty of the respondent to respond to the representations of the petitioner company one way or the other. Hence, this Court directs the respondent to dispose of the representation of the petitioner company dated 12.01.2023, within a period of eight [8] weeks from the date of receipt of a copy of this order.



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6.Accordingly, this Writ Petition stands disposed of. There shall be no order as to costs.

16.12.2025

Index: Yes/No

Internet: Yes/No

Neutral Citation: Yes/No

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KRISHNAN RAMASAMY, J.

MR

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