

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

MONDAY, THE 23RD DAY OF NOVEMBER 2015/2ND AGRAHAYANA, 1937

WP(C).No. 34992 of 2005 (N)

PETITIONER(S) :

- 1. COCHIN SPICES PVT.LTD.,A COMPANY
INCORPORATED UNDER THE COMPANIES ACT, AND HAVING ITS
REGISTERED OFFICE AT: POT NO.24, COCHIN SPECIAL
ECONOMIC ZONE, KAKKANAD, KOCHI-682 037,
REPRESENTED BY ITS MANAGING DIRECTOR,
THOMAS PHILIP, SON OF PHILIP THOMAS, AGED 53 YEARS.**
- 2. AVT MCCORMICK INGREDIENTS PVT.LTD.,
A COMPANY INCORPORATED UNDER THE COMPANIES ACT,
HAVING ITS REGISTERED OFFICE AT NO.64 RUKMINI LAKSHIPATHY
SALAI EGMORE, CHENNAI-600 008 AND BRANCH OFFICE AND
FACTORY AT SOUTH VAZHAKULAM, ALUVA REPRESENTED BY ITS
DIRECTOR & CHIEF OPERATING OFFICER MS.SUSHAMA SRIKANDATH.**

BY ADV.

RESPONDENT(S) :

- 1. UNION OF INDIA REPRESENTED BY ITS SECRETARY,
DEPARTMENT OF COMMERCE,MINISTRY OF COMMERCE & INDUSTRY,
UDYOG BHAVAN, NEW DELHI.**
- 2. THE SPICES BOARD REPRESENTED BY ITS CHAIRMAN
HAVING ITS OFFICE AT N.H. BYPASS, PALARIVATTOM, ERNAKULAM.**
- 3. THE DIRECTOR OF MARKETING,
SPICES BOARD, N.H. BYPASS, PALARIVATTOM, ERNAKULAM.**

**R1 BY ADV. SRI.N.NAGARESH, A.S.G
R2 & R3 BY SRI.JOSEPH MARKOSE (SENIOR ADVOCATE)
BY ADVS. SRI.MITHUN MARKOS
SRI.TERRY V.JAMES**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 23-11-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

Msd.

APPENDIX

PETITIONER(S)' EXHIBITS :

EXHIBIT P1: TRUE COPY OF THE SCHEME PUBLISHED BY THE FIRST RESPONDENT DATED NIL.

EXHIBIT P2: TRUE COPY OF APPLICATION FOR SUBSIDY FOR EXPORT OF PEPPER DATED NIL.

EXHIBIT P3: TRUE COPY OF THE DUTY EXEMPTION AND REMISSION SCHEME.

RESPONDENT(S)' EXHIBITS :

EXHIBIT R2(A): TRUE COPY OF LETTER DATED 02.11.2005 OF THE 1ST RESPONDENT.

EXHIBIT R2(B): TRUE COPY OF LETTER DATED 08.12.2005 OF THE 1ST RESPONDENT.

EXHIBIT R2(C): TRUE COPY OF TRANSPORT SUBSIDY SCHEME AND APPLICATION FORM FORWARDED BY THE SPICES BOARD.

EXHIBIT R2(D): TRUE COPY OF THE STATEMENT DATED 14.12.2005 OF M/S.COCHIN SPICES PVT.LTD.

EXHIBIT R2(E): TRUE COPY OF THE STATEMENT DATED NIL OF M/S.AVT MCCORMICK PRIVATE LIMITED.

EXHIBIT R2(F): TRUE COPY COMPARATIVE CHART SHOWING ADVANTAGE UNDER EOU & SEZ SCHEMES.

EXHIBIT R6(A): TRUE COPY OF THE JUDGMENT DATED 15.01.2002 OF THIS HON'BLE COURT.

EXHIBIT R6(B): TRUE COPY OF THE RELEVANT PAGE OF THE LOAN REGISTER PERTAINING TO F.L.NO.T-4441.

EXHIBIT R6(C): TRUE COPY OF AWARD PASSED BY THE ARBITRATOR DATED 20.08.1998.

//TRUE COPY//

P.A.TO JUDGE.

A.MUHAMED MUSTAQUE, J.

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W.P.(C).No. 34992 of 2005

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Dated this the 23rd day of November, 2015

J U D G M E N T

Considering the nature of relief sought for in the writ petition, this Court is of the view that the matter has become infructuous. Accordingly, the writ petition is closed as infructuous. If any further grievance subsists, the petitioners is free to approach this Court and all the issues in the writ petition are left open.

sd/-

sab

A.MUHAMED MUSTAQUE, JUDGE

