

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.12.2015

CORAM

THE HON'BLE MR.JUSTICE SATISH K. AGNIHOTRI
AND
THE HON'BLE Dr. JUSTICE P.DEVADASS

W.A.No.1726 of 2015
and
M.P.No.1 of 2015

AMS Traders,
represented by its Sole Proprietor,
J.Mohamed Safiullah,
No.215, FC, 5th Street,
Shanthi Nagar,
Chromepet,
Chennai.

... Appellant/Petitioner

Vs.

1.Union of India,
represented by its Secretary,
Ministry of Commerce and Industry,
Udyog Bhavan,
New Delhi-110 011.

2.Director General of Foreign Trade,
Department of Commerce,
Ministry of Commerce and Industry,
Udyog Bhavan,
New Delhi-110 011.

3.The Secretary,
Ministry of Environment, Forest and Climate Change,
Udyog Bhavan,
New Delhi-110 011.

... Respondents

This writ appeal is preferred under Clause 15 of the Letters Patent against the order dated 08.10.2015 passed in W.P.No.28944 of 2015.

WP.NO.28944 of 2015:Writ Petition is filed Under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorari Calling for the records and Notification bearing No.110 (RE-2013)/ 2009-2014 dated 6.2.2015 issued by the 2nd respondent and published in the Gazette of India; Extraordinary

(Part II-Sec.3(ii)) under Section 5 of the Foreign Trade (Development and Regulation) Act 1992 and quash the same and illegal.

For Appellant : Mr.J.Antony Jesus

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JUDGMENT

(The Judgment of the Court was made by SATISH K. AGNIHOTRI, J.)

The instant appeal arises from the order dated 8th October, 2015 passed by the learned Single Judge in W.P.No.28944 of 2015.

2 Impugning the validity of the notification bearing No.110 (RE-2013)/2009-2014, dated 6th February, 2015 issued by the second respondent Director General of Foreign Trade, the writ petitioner / appellant herein has filed the writ petition.

3 The validity of the same notification dated 6th February, 2015 was the subject matter of challenge in a writ petition, being W.P.No.12311 of 2015. The said challenge was negatived by a Division Bench of this court, by order dated 16th September, 2015, upholding the validity of the said notification.

4 In that view of the matter, there is no reason to entertain the petition on the same ground again. Thus, the writ petition was rightly dismissed by the learned Single Judge.

5 In view of the foregoing, the writ appeal stands dismissed. No costs. Consequently connected miscellaneous petition is closed.

-Sd/-

Asst.Registrar

/true copy/

Sub Asst. Registrar

vvk

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To

1.The Secretary,
Union of India,
Ministry of Commerce and Industry,
Udyog Bhavan,
New Delhi-110 011.

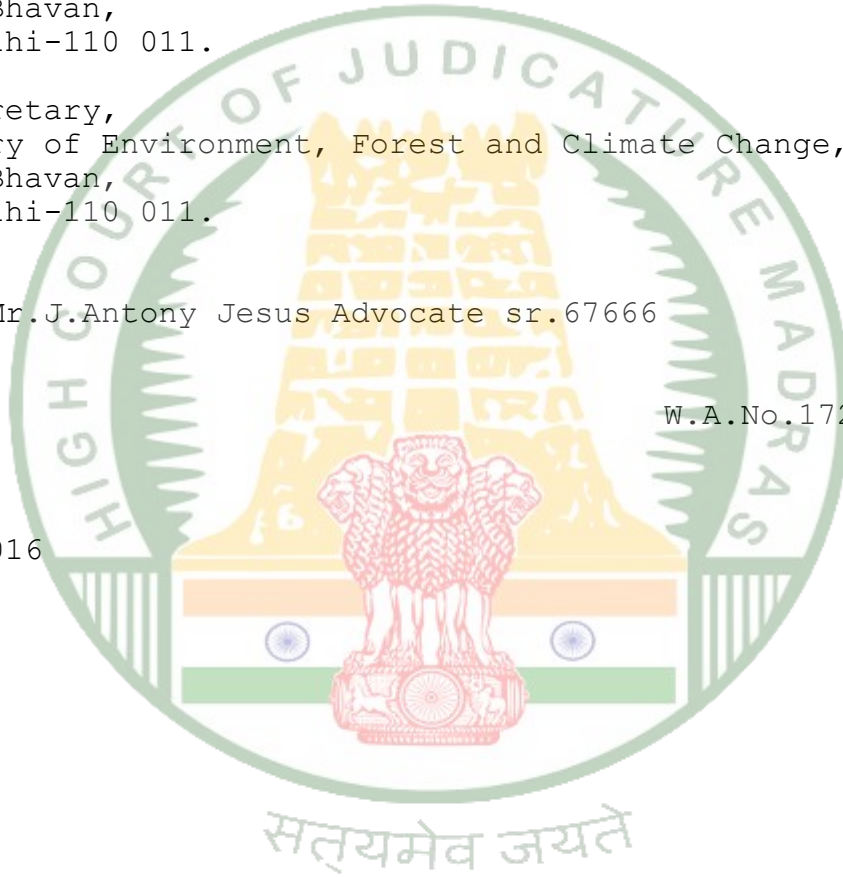
2.Director General of Foreign Trade,
Department of Commerce,
Ministry of Commerce and Industry,
Udyog Bhavan,
New Delhi-110 011.

3.The Secretary,
Ministry of Environment, Forest and Climate Change,
Udyog Bhavan,
New Delhi-110 011.

+1 cc to Mr.J.Antony Jesus Advocate sr.67666

W.A.No.1726 OF 2015

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