

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.10.2015

CORAM

THE HONOURABLE MR. JUSTICE M.M.SUNDRESH

W.P.No.31117 of 2015
and
M.P.Nos.1 & 2 of 2015

M/s.Sri Lakshmi Saraswathi Yarns Tex
rep by its Proprietor Mr.C.S.Adithya Praveen
Administrative Office, No.9, Old No.8,
Crescent Road, Shenoy Nagar, Chennai - 600 030. ... Petitioner

-Vs-

1. Ministry of Commerce and Industry,
Government of India
rep by Joint Director General of Foreign Trade,
Shastri Bhavan Annexe, No.26, Haddows Road,
Chennai - 600 006.
2. M/s.Kosar Sanat Minaye Aras,
No.2, I Floor, Unit - 1,
Pour Esfendyari Aley,
Namjoo Street, Tehran, Iran.
3. M/s.Tohied Tejaret Iliya Co.,
No.44, Agha Rajabi Street,
Ahmad Rezayeee, Tajeri Street,
Tehran, Iran.
4. M/s.Multibiz Trading LLC,
P.O.Box No.826999,
Standard Chartered Bank Building,
I Floor, Al Ras-Deira,
Dubai, U.A.E.
5. M/s.PT Elite Global Marketing,
Menara Gracia, 6th Floor,
Jl, H.R.Rasuna Said,
Kav C-17, Jakarta - 13940,
Indonesia.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of certiorari calling for the records from the file of the 1st respondent relating to the proceedings vide reference F.No.RSCQC/33/Addl.DGFT/Che date 20.05.2015 and quash the same as illegal.

For Petitioner : Mr.R.Thiagarajan

For Respondents : Ms.Sunita Kumari,
Central Government Standing Counsel (R1)

ORDER

Challenging the show cause notice issued by the respondent no.1 vide impugned proceedings dated 20.05.2015, proposing to take action under Sections 8, 13 & 14 of Foreign Trade (Development & Regulation) Act, 1992 as amended by Amendment Act, 2010, the petitioner has come forward to file the present Writ Petition.

2.A perusal of the documents filed would show that the petitioner did give a comprehensive reply on 03.06.2015 enclosing the relevant documents. Challenge to the show cause notice can be made on two grounds viz., jurisdiction and malafides. These two factors are not before this Court.

3.This Court is not inclined to entertain this Writ Petition, however, considering the submissions made, a direction is issued to the respondent no.1 to pass a speaking and reasoned order, pursuant to the impugned show cause notice dated 20.05.2015, by taking into consideration of the reply of the petitioner, within a period of six weeks from the date of receipt of a copy of this order.

4.The Writ Petition is disposed of accordingly. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

va

To

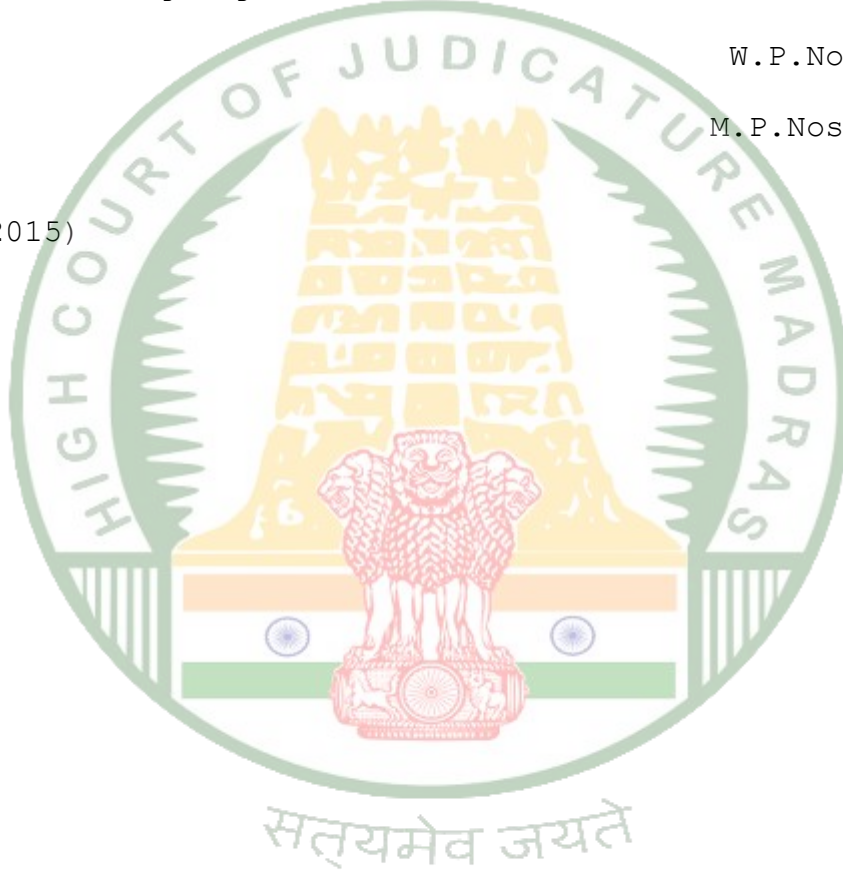
1. The Joint Director General of Foreign Trade,
Ministry of Commerce and Industry,
Government of India,
Shastri Bhavan Annexe, No.26, Haddows Road,
Chennai - 600 006.

+1cc to M/s.Sunita Kumari, Advocate, S.R.No.53353

+1cc to M/s.R.Thiagarajan, Advocate, S.R.No.53739

W.P.No.31117 of 2015
and
M.P.Nos.1 & 2 of 2015

RSK(CO)
CA(12/10/2015)



WEB COPY