

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.03.2016

CORAM

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE
AND

The Hon'ble MR.JUSTICE M.M.SUNDRESH

W.P.No.21616 of 2015

1. Sapiens Health Foundation,
rep. by its Chairman,
(Formerly the Balaji Medical and Educational Trust)
No.7/23, 4rd Main Road,
Kottur Gardens,
Chennai-600 085
- And also at:
No.95/42, Flat No.1, RAMS Flat,
2nd Main Road,
Gandhi Nagar, Adyar,
Chennai-600 020.
- 2.Narmada Kidney Foundation,
rep. by its Chairman,
B/1, Gr. Floor, Nav Sanyukta Co op. Society Ltd.,
Behind Jai Mata Di Temple,
Dr. Charat Singh Colony,
A.G. Link Road, Chakala, Andheri (E),
Mumbai-400 093.
- 3.Mumbai Kidney Foundation (MKF),
rep. by its Chairman,
and initiative of The Jivan Jyot Charitable Trust,
Lancelot Kidney and GI Center,
111 C, Lancelot, Opp. Shastri Nagar,
S.V. Road, Borivali (W),
Mumbai-400 092. .. Petitioners

-vs-

- 1.Union of India,
rep. by its Secretary,
Ministry of Finance, Department of Revenue,
North Block,
New Delhi-110 001.
- 2.Central Board of Excise and Customs,
Tariff Unit, OSD,
Government of India,
Ministry of Finance, Department of Revenue,
Custom House, 60, Rajaji Salai,
Chennai-600 001.

3.Ministry of Health and Welfare,
Government of India,
rep. by its Secretary,
North Block,
New Delhi-110 001.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Certiorari calling for the records comprised in Circular No.19/2013-Customs dated 09.05.2013 issued by the second respondent and quash the same as being illegal, arbitrary and unreasonable and violative of Article 14 and Article 12 of the Constitution of India.

For Petitioner : Mr.Raghul Balaji

For Respondents : Mr.K.Mohanamurali
SPC GI for R1 to R3

ORDER

(Order of the Court was made by The Hon'ble Chief Justice)

The petitioners, organizations involved in spreading awareness about the preventive measures for kidney diseases, have filed this public interest litigation making a prayer that Circular No.19/2013-Customs dated 09.05.2013 issued by respondent No.2 should be quashed.

2. The grievance was with respect to the categorisation of the tariff item dealing with "renal dialysis equipment".

3. The learned counsel for the petitioner states that the grievance of the petitioners stand remedied in view of Notification No.12/2016-Customs dated 01.03.2016, forming part of the current budgetary exercise.

4. It is thus gratifying to note that the matter has been redressed without the intervention of the Court.

5. The writ petition, accordingly, stands closed. No costs.

Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

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To

- 1.The Secretary,
Ministry of Finance, Department of Revenue,
North Block,
New Delhi-110 001.
- 2.The Ministry of Finance, Department of Revenue,
Central Board of Excise and Customs,
Tariff Unit, OSD,
Government of India,
Custom House, 60, Rajaji Salai,
Chennai-600 001.
- 3.The Secretary,
Ministry of Health and Welfare,
Government of India,
North Block,
New Delhi-110 001.

+1 cc to M/s.K.Mohanamurali, Advocate, sr.18202

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