

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.01.2016

CORAM

THE HONOURABLE MR. JUSTICE M.M. SUNDRESH

W.P. No. 27008 of 2015
&
M.P. Nos. 1, 2 & 3 of 2015

M/s. Sri Adinath Traders
Old No. 124/5, Audiappa Naicken
Street, Sowcarpet,
Chennai - 600 079.
rep. by its Proprietor,
Sri Kailash Kumar ...Petitioner

Vs.

1. Union of India,
rep. by Secretary,
Department of Revenue,
Ministry of Finance,
North Block, New Delhi - 110 001.
2. The Chairman,
Central Board of Excise & Customs,
Department of Revenue,
Ministry of Finance, North Block,
New Delhi - 110 001.
3. The Member, Customs,
Central Board of Excise & Customs,
Department of Revenue,
Ministry of Finance,
North Block,
New Delhi - 110 001.
4. The Narcotics Commissioner,
Central Bureau of Narcotics,
19, The Mall,
Morar, Gwalior - 474 006.
5. M/s. Radhey Shyam Ratanlal
A partnership firm, having its office at
6658, Gadodia Market, Khari Baoli,
New Delhi - 110 006.

6. M/s. Hukum Chand Durga Pershad,
A HUF Firm, through its Karta,
Shri Prakash Chand,
Having its office at 254,
Lala Umrao Singh Marg,
Tilak Bazar, Khari Baoli,
Delhi - 110 006.
7. M/s. All India Spices Importers
Exporters & Distributors Association,
A Company incorporation and
Registered under Section 25 of
Companies Act, 1956 and having its
office at
6658, Gadodia Market, Khari Baoli,
New Delhi - 110 006.
8. M/s. Astra Management Services Pvt. Ltd.,
A Company registered under the
Companies Act, 2013, Having its office at
C-15, Qutub Institutional Area,
New Delhi - 110 016.

(R5 to R8 are impleaded as per order dated
25.11.2015 in MP Nos. 4 to 7/2015
in W.P. Nos. 27008 and 29806/2015)

...Respondents

Prayer: Petition under Article 226 of the Constitution of India
praying for issue of a Writ of Certiorari to call for the
records in and connected with the Public Notice No. PS-4/2015
issued from File No.F. No. XVI/13/13/N/PS/CC/2015 dated
10.08.2015 and Public Notice No. PS-5/2015 in F.No.
XVI/13/13/N/PS/CC/2015 dated 18.08.2015 by the 4th respondent and
all acts pursuant to the same and quash the same, as the same is
contrary to the judgment of the Honourable Apex Court and
violative of Public Policy and Constitutional guarantees of
equality and free trade norms.

For Petitioner :: Mr.Vijay Narayanan,
Senior Counsel for
Mr.B. Satish Sundar

For Respondents:: Mr.Rajnish Pathiyil, SCGSC
SCGPC for R1 to R3
Mr.G. Rajagopalan,
Addl. Solicitor General, assisted
by
Mr.B. Rabu Manohar for R4 SCGPC-GOI
No appearance for R5 to R8

O R D E R

In view of the subsequent writ petition filed in W.P. No. 29806 of 2015 challenging the policy decision evolved after the filing of this writ petition, nothing survives for adjudication in this writ petition. Hence, the writ petition is closed. No costs. Connected M.Ps are closed.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

To

1. The Secretary,
Union of India,
Department of Revenue,
Ministry of Finance,
North Block, New Delhi - 110 001.
2. The Chairman,
Central Board of Excise & Customs,
Department of Revenue,
Ministry of Finance, North Block,
New Delhi - 110 001.
3. The Member, Customs,
Central Board of Excise & Customs,
Department of Revenue,
Ministry of Finance,
North Block,
New Delhi - 110 001.
4. The Narcotics Commissioner,
Central Bureau of Narcotics,
19, The Mall,
Morar, Gwalior - 474 006.

W.P. No. 27008 of 2015

vd(CO)
srg(19/02/2016)