

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.11.2017

CORAM

THE HON'BLE MR.JUSTICE T.S.SIVAGNANAM

WRIT PETITION NO.7083 OF 2009

AND

M.P.NO.1 OF 2009

M/s. Sholingur Textiles Ltd.,
rep. by its Chairman and Managing Director,
Mr. S.K. Rajan Babu ...Petitioner

Vs.

1. The Joint Director General of Foreign Trade,
(Govt. of India)
Ministry of Commerce & Industries,
Zonal Joint Director of Foreign Trades,
IVth and Vth Floor of Shastri Bhavan,
Haddows Road, Chennai - 600006.
2. The Assistant Commissioner,
O/o. the Assistant Commissioner of Customs (Export)
Customs House,
No.60, Rajai Salai, Chennai - 600 001. ...Respondents

Writ Petition, filed under Article 226 of the Constitution of India, for issuance of Writ of Certiorari to call for records in relation to the detention order F.No.S45/282 00/EPCG, dated 29.01.2009, by the second respondent and to quash the same.

For Petitioner : Mr. T. V. Krishnamachari

For Respondents : Mr. B.Rabu Manohar
Senior Panel Counsel

O R D E R

Heard Mr. T. V. Krishnamachari, the learned counsel appearing for the petitioner and Mr. B.Rabu Manohar, the learned Senior Panel Counsel for the respondents.

2. This Writ Petition has been filed by the petitioner to issue a Writ of Certiorari to quash the detention notice, dated 29.01.2009, issued by the second respondent, by which, the petitioner was informed that, if they do not pay a sum of Rs.3,87,24,200/- along with applicable interest, being the amount payable for non-compliance of the condition of EPCG Licence, their goods will be detained.

3. At the time, when the Writ Petition was admitted, i.e., 20.04.2009, no interim order was granted. The matter has been pending since 2009. When the matter came up for hearing on 31.10.2017, the learned counsel for the petitioner reported no instructions in the matter. However, in order to afford one more opportunity to the petitioner, the matter was adjourned.

4. Thus, considering the nature of relief, sought for by the petitioner, and also that, there was no interim order in the Writ Petition, no useful purpose would be served in keeping this Writ Petition pending, as, by efflux of time, there would have been further developments in the matter. Accordingly, this Writ Petition is closed, leaving it open to the petitioner to workout their remedy in accordance with law. No costs. Consequently, connected Writ Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

msm/sd

To

1. The Joint Director General of Foreign Trade,
(Govt. of India)
Ministry of Commerce & Industries,
Zonal Joint Director of Foreign Trades,
IVth and Vth Floor of Shastri Bhavan,
Haddows Road, Chennai - 600006.
2. The Assistant Commissioner,
O/o. the Assistant Commissioner of Customs (Export)
Customs House,
No.60, Rajai Salai, Chennai - 600 001.

Writ Petition No.7083 of 2009

CS/27/12/17