

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.08.2017

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.39144 of 2004 &  
W.P.M.P.No.46669 of 2004

D.S.P. Knitting Company,  
A Recognized Export House,  
Rep. by its Power Agent, Mr.R.Theenathayalan,  
16, Lakshmi Nagar Extn., Tirupur - 641 602. .... Petitioner

Vs.

- 1.The Deputy Commissioner of Customs,  
(Export Promotion Capital Goods),  
Office of the Commissioner of  
Customs (Exports), Customs House,  
Rajaji Salai, Chennai - 600 001.
- 2.The Manager, Canara Bank,  
Main Branch, Chennai -14.
- 3.The Joint Director-General of Foreign  
Trade, 1544, Trichy Road,  
Life Building, Coimbatore - 641 018. .... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari Mandamus calling for the records from first respondent and quash the impugned order No.F.No.S45/385/95-EPCG, dated 17/20.12.2004 passed by the first respondent and also direct the third respondent to pass a order for extension of time by one more block of 2 years of import of spares for capital goods already imported as per para 5, 1-A of the Foreign Trade Policy 2004-2009 on the representation sent by the petitioner on 09.12.2004.

For Petitioner : No Appearance  
For Respondents : Mr.S.Rajasekar,  
Senior Panel Counsel

O R D E R

None appears for the petitioner. Mr.S.Rajasekar, learned Senior Panel Counsel appearing for the respondents, produced an e-mail communication sent from the Customs Department, Legal

Custsoms, dated 18.07.2017, which reads as follows:

"This WP was superseded by Order in WP 16026 of 2005 and issue settled with DGFT and EPCG section in Customs. Issue has become infructuous. [The Hon'ble High Court ordered on 10.02.05 directing DGFT to pass an order on the representation of petitioner. Based on this JDGFT, Coimbatore had issued EODC to the petitioner on F.No.32/31/20/122/AM98 dated 03.01.07 and forwarded of EODC to EPCG and the EPCG group had complied and cancelled the BG."

2.Recording the above communication, this writ petition is closed. No costs. Consequently, the connected miscellaneous petition is also closed.

Sd/-  
Assistant Registrar(IV)

//True Copy//

Sub Assistant Registrar

To

- 1.The Deputy Commissioner of Customs,  
(Export Promotion Capital Goods),  
Office of the Commissioner of  
Customs (Exports), Customs House,  
Rajaji Salai, Chennai - 600 001.
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- 3.The Joint Director-General of Foreign  
Trade, 1544, Trichy Road,  
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GN(01/09/2017)

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