

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Special Original Jurisdiction)

Friday, the Twenty Sixth day of October Two Thousand Eighteen

PRESENT

THE HON'BLE MR.JUSTICE R.MAHADEVAN

WP No.27887 of 2018

AND WMP NO.32443 of 2018

M/S.N.V.R. AND CO [PETITIONER IN BOTH THE PETITIONS]
REP.BY ITS PROPRIETRIX
MS. VIVEKANANDAM
VASANTHY, 4/441, KULLURCHANDAI ROAD,
VIRUDHUNAGAR-626 001. TAMIL NADU

Vs

1 THE DIRECTOR GENERAL OF FOREIGN TRADE, [RESPONDENTS IN BOTH THE
MINISTRY OF COMMERCE AND INDUSTRIES, PETITIONS]
DEPARTMENT OF COMMERCE, UDYOG BHAVAN,
H WING, GATE NO.2, MAULANA AZAD ROAD,
NEW DELHI- 110 011

2 THE JOINT DIRECTOR GENERAL OF FOREIGN TRADE,
MINISTRY OF COMMERCE AND INDUSTRIES,
DEPARTMENT OF COMMERCE, UDYOG BHAVAN,
H WING, GATE NO.2, MAULANA AZAD ROAD,
NEW DELHI- 110 011

3 THE COMMISSIONER OF CUSTOMS
CHENNAI II COMMISSIONERATE, CUSTOM HOUSE, 60,
RAJAJI SALAI, CHENNAI- 600 001

Writ Petitions under Article 226 of the Constitution of India
praying that in these circumstances stated therein and in the
respective affidavits filed therewith the High Court will be pleased
to issue a Writ of Certiorified Mandamus, calling for records in and
connected with Notification No.22/2015-20 dated 21.08.2017 and
Notification No.6/2015-20 dated 04.05.2018 read with Trade Notice No.
19/2018 dated 25.10.2018 and Trade Notice No.06/2018-19 dated
11.05.2018 bearing reference F.No.M-5012/300/2002- PC 2(A) and
F.No.01/89/180/Misc - 13/AM-07/PC-2(A) attributable to the 1st and
2nd respondents and quash the same and further direct the 3rd

respondent to permit clearance of about 500 MTS of Myanmar BMP (SQ) (Urad) falling under Exim Code 0713 3100 in terms of Sales Contract No.SW/53/2018-19 dated 08.10.2018. (in WP.27887/2018) and;

(ii) to grant an ad-interim stay of Notification No.22/2015-20 dated 21.08.2017 and Notification No.6/2015-20 dated 04.05.2018 read with Trade Notice No. 19/2018 dated 25.10.2018 and Trade Notice No.06/2018-19 dated 11.05.2018 bearing reference F.No.M-5012/300/2002- PC 2(A) and F.No.01/89/180/Misc-13/AM-07/PC-2 (A) attributable to the 1st and 2nd respondents (in WMP.32443/2018).

Order : These petitions coming on for orders upon perusing the petitions and the affidavits filed in support thereof and upon hearing the arguments of M/S.A.SURESH, Advocate for the petitioner and of J.MADHANAGOPAL RAO, Central Government Standing Counsel on behalf of the Respondents the court made the following order:-

Learned counsel for the petitioner submitted that in similar circumstances, this Court vide order dated 28.06.2018 in W.P. Nos.15921 to 15924 of 2018 etc. batch, has granted an order of interim stay. Therefore, learned counsel prayed similar order in this writ petition as well.

2.Mr.J.Madhanagopal Rao, learned Central Government Standing Counsel, who takes notice for the respondents, seeks time for getting instructions from the respective respondents.

3.Considering the facts and circumstances of the case and having regard to the submissions made by the learned counsel on either side and also following the earlier order passed by this Court (cited supra), there shall be an order of interim stay.

4.Registry is directed to post the matter along with the batch of writ petitions.

-sd/-

26/10/2018

/ TRUE COPY /

Sub-Assistant Registrar (Statistics / C.S.)
High Court, Madras - 600 104.

TO

1 THE DIRECTOR GENERAL OF FOREIGN TRADE,
MINISTRY OF COMMERCE AND INDUSTRIES,
DEPARTMENT OF COMMERCE, UDYOG BHAVAN,
H WING, GATE NO.2, MAULANA AZAD ROAD,
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RAJAJI SALAI, CHENNAI- 600 001

C.C. to M/S.A.SURESH Advocate SR.NO.13044.

The Government Advocate, High Court, Madras - 104.

Order

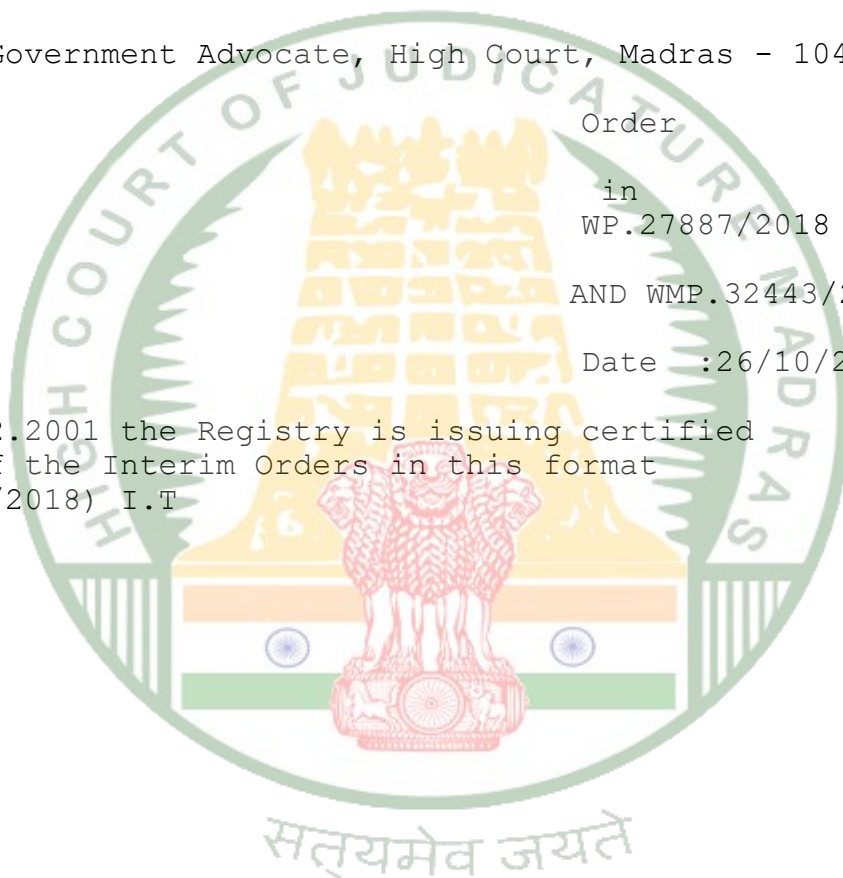
in

WP.27887/2018

AND WMP.32443/2018

Date :26/10/2018

From 26.2.2001 the Registry is issuing certified
copies of the Interim Orders in this format
SA(29/10/2018) I.T



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