



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.10.2018

CORAM:

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

W.P (MD) No.16043 of 2014

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A.Sailanathan

.. Petitioner

Vs.

1.The Commissioner of Customs,
Customs House,
VOC Post, Thoothukudi.

2.The Joint Director General of Foreign Trade,
Ministry of Commerce,
Government of India,
Plot No.117, 1st Main Road,
K.K.Nagar, Madurai.

.. Respondents

Writ Petition has been filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, to direct the first respondent to permit the export of Charcoal from Seemakaruvel (Prosopis Juliflora) by accepting the bill of lading from the clearing agent and forwarding agent of the petitioner.

For petitioner	: Mr.G.Prabhu Rajadurai
For 1 st respondent	: Mr.S.Gurumoorthy
For 2 nd respondent	: Mr.P.Paulpandi, CGSC

ORDER

This writ petition has been filed by the petitioner seeking a direction to the first respondent to permit the export of Charcoal from Seemakaruvel (Prosopis Juliflora) by accepting the bill of lading from the clearing agent and forwarding agent of the petitioner.

2. When the matter came up for hearing today, the learned counsel appearing for the respondents in unison submitted that as per the Foreign Trade Policy (FTP) of the Central Government, the export item of the petitioner comes under the prohibited category and if the petitioner wants relaxation in the policy, he has to approach Director General of Foreign Trade (DGFT) as per para 2.5 of FTP.

3. Admittedly, this Court cannot go into the policy decision of the Government. If the petitioner is aggrieved, he can very well approach the DGFT for relaxation in the policy. If the petitioner approaches, the Director General of Foreign Trade shall consider the case of the petitioner and pass orders on merits as expeditiously as possible.



4. With the above observation, this Writ Petition is dismissed.
No cost.

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/True Copy/

Sd/-
Assistant Registrar(CO)

Sub Assistant Registrar(CS-II)

To

1.The Commissioner of Customs,
Customs House,
VOC Post, Thoothukudi.

2.The Joint Director General of Foreign Trade,
Ministry of Commerce,
Government of India,
Plot No.117, 1st Main Road,
K.K.Nagar, Madurai.

+1CC to Mr.G.Prabhu Rajadurai, Advocate, SR.No.93690

+2CC to Mr.P.Paulpandi,, Advocate, SR.No.93550

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GCG

ES/SKN/RSK/SAR 2/29.11.2018/2P/6C