

IN THE HIGH COURT OF JUDICATURE OF MADRAS

DATED: 05.08.2019

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P.No.10606 of 2008
and
M.P.No.1 of 2008

M/s.Glorious Exports,
Rep. by its Proprietor
Mr.Jitendra Kumar Modi,
163, Rabindra Sarani,
Kolkata - 700007.Petitioner

Vs

1. Union of India,
Rep. by its Secretary,
Ministry of Commerce and Industry,
Department of Commerce,
Udyog Bhavan,
New Delhi - 110001.
2. The Director General of Foreign Trade,
and Ex-Officio Additional Secretary
to Government of India,
Udyog Bhavan,
New Delhi - 110001.
3. The Commissioner of Customs (Seaport-Imports),
No.60, Rajaji Salai, Custom House,
Chennai - 600001.Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Declaration, declaring the impugned Notification No.25 (RE-2007)/2004-2009 dated 29.08.2007, issued from file No.01/89/180/0043/AM01/PC-1A of the second respondent as ultra vires, illegal, arbitrary, unconstitutional and in violation of the rights guaranteed under Article 14, 19(1)(g), 21 and Article 301 of the Constitution of India.

For Petitioner : Mr.A.K.Jayaraj

For Respondents: Mr.J.Madanagopal Rao, SCGSC

O R D E R

The impugned Notification No.25 (RE-2007)/2004-2009, dated 29.08.2007 was a subject matter of batch of writ petitions reported in 2009 (241) E.L.T. 338 (Mad.) in the case of Unik Traders vs. Union of India, and this Court had dismissed the same by its order dated 05.12.2008. Since the same notification is under challenge in the present writ petition also, no contrary view can be taken on the same and as such, no effective orders can be passed in the present writ petition, since the prayer itself has become infructuous.

2. Accordingly, the Writ Petition stands closed. No costs. Consequently, connected miscellaneous petition is closed.

s/d-
Assistant Registrar(CS VIII)

True Copy

Sub-Assistant Registrar

hvk

To

1. The Secretary,
Union of India,
Ministry of Commerce and Industry,
Department of Commerce,
Udyog Bhavan,
New Delhi - 110001.
2. The Director General of Foreign Trade,
Ex-Officio Additional Secretary,
Government of India,
Udyog Bhavan,
New Delhi - 110001.
3. The Deputy Commissioner of Customs,
Group - 1,
No.60, Rajaji Salai, Custom House,
Chennai - 600001.

+1 CC to Mr.J.Madanagopal Rao, Advocate sr 66763.

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CA(CO)
SP(17/09/2019)