

IN THE HIGH COURT OF JUDICATURE OF MADRAS

DATED: 05.08.2019

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P.No.11583 of 2008
and
M.P.Nos.2 & 3 of 2008

M/s.Om Associates,
Proprietor Mr.P.Bharath Kumar,
No.9, Harbour Colony,
Second Street, Sixth Cross,
Kodungaiyur, Chennai - 600118.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,
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.Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Certiorari, to call for the impugned Notification No.25 (RE-2007)/2004-2009 dated 29.08.2007 issued by the second respondent and quash the same as ultra vires.

For Petitioner : Mr.Hari Radhakrishnan

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 petitions are closed.

s/d-

Assistant Registrar(CS VIII)

True Copy

Sub-Assistant Registrar

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