

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 16..09..2019

CORAM

THE HON'BLE MR.JUSTICE V.BHARATHIDASAN

Writ Petition No.38166 of 2004

M/s.Lakshmi Exports
No.26, First Floor,
Rasappa Chetty Street,
Park Town, Chennai 600 006,
Rep. by its Proprietor,
Mr.G.Bawarlal Jain

... Petitioner

-Versus-

1. Additional Export Commissioner,
Office of Zonal Joint Director of the Foreign Trade,
38 and 39, Whites Road,
Royapettah,
Chennai 600104.
2. The Joint Director General of Foreign Trade,
38 and 39, Whites Road,
Royapettah, Chennai 600104.
3. Deputy Director General of Foreign Trade,
38 and 39, Whites Road,
Royapettah, Chennai 600104.
4. Foreign Trade Development Officer,
38 and 39, Whites Road,
Royapettah, Chennai 600104.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorari calling for the records of the 3rd respondent dated 13.12.2004 in License No.0410065065/4/03/00 in File No.04/21/040/00374/AM05/ and to quash the same insofar as it is violation of paragraph No.2.27.1 of The Foreign Trade Policy of the year 2004-2009 formulated

under Section 5 of the Foreign Trade (Development and Regulation) Act, 1992.

For Petitioner : Mr.R.Gopinath
For Respondent(s) : Mr.Madana Gopal Rao
for RR1 to 4

ORDER

The challenge in this writ petition is to the condition imposed under the advance license issued to the petitioner directing the petitioner to furnish 100% bank guarantee to the customs authority to cover the exemption from customs duty together with interest @ 15% p.a.

2. The learned counsel appearing for the petitioner submitted that he had no instructions from his client. However, the learned counsel appearing for the respondents 1 to 4, on instructions, submitted that it was only an advance license whereby the petitioner was directed to furnish 100% bank guarantee. According to him, the export obligation was completed long ago and therefore, nothing survives in this writ petition for further adjudication.

3. In view of the above, this writ petition is dismissed as infructuous. No costs.

s/d-
Assistant Registrar(CS VI)

True Copy

Sub-Assistant Registrar

kmk
To

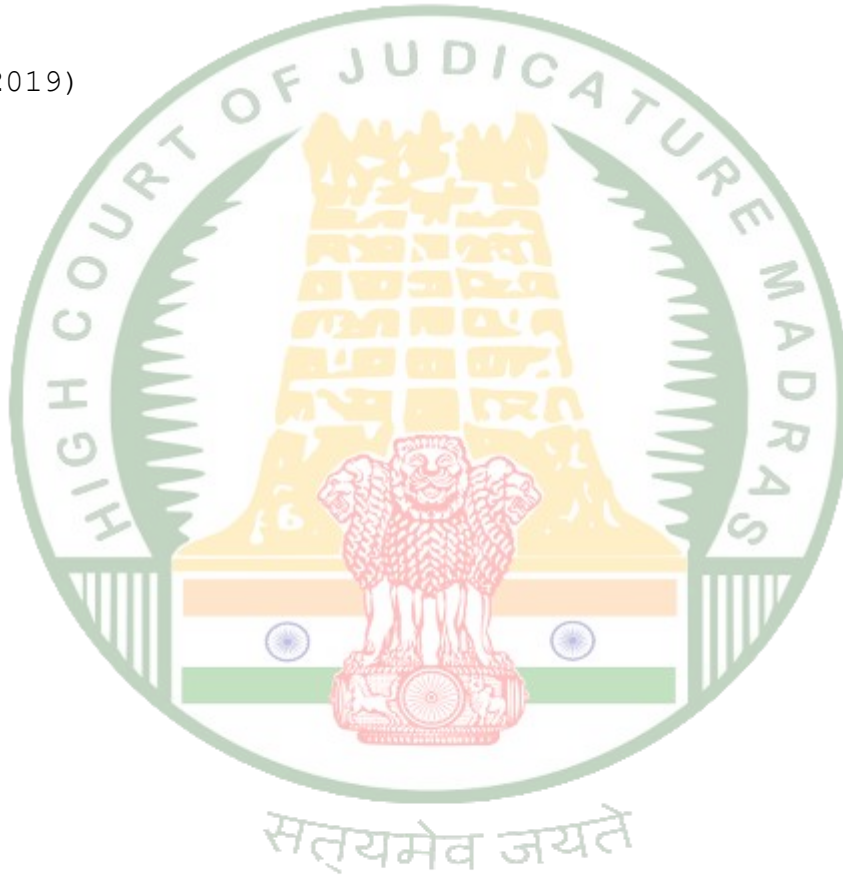
- 1.The Additional Export Commissioner,
Office of Zonal Joint Director of the Foreign Trade,
38 and 39, Whites Road,
Royapettah,
Chennai 600104.
- 2.The Joint Director General of Foreign Trade,
38 and 39, Whites Road,
Royapettah, Chennai 600104.
- 3.The Deputy Director General of Foreign Trade,
38 and 39, Whites Road,
Royapettah, Chennai 600104.

4.The Foreign Trade Development Officer,
38 and 39, Whites Road,
Royapettah, Chennai 600104.

+1 CC to Mr.R.Gopinath, Advocate sr 79559.

Writ Petition No.38166 of 2004

SSI (CO)
SP(04/11/2019)



WEB COPY