

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 02.11.2020
CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 12653 of 2010
and
M.P. Nos. 1 and 2 of 2010

M/s. Vindhyawashini Trading Company
Rep. by its Proprietor Mr. Vibhore Dubey
Ganghara Kala, Lalganj
Mirzapur
Uttar Pradesh - 231 211.

... Petitioner

-vs-

1. The Director General of Foreign Trade
and Ex-Officio
Additional Secretary to Government of India
Ministry of Commerce and Industry
Department of Commerce, New Delhi.
2. The Commissioner of Customs (Seaport-Import)
Custom House, No.60, Rajaji Salai
Chennai - 600 001.
3. The Additional Commissioner of Customs, Gr.5A
Custom House, No.60, Rajaji Salai
Chennai - 600 001.

... 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.31/2005, dated 19.10.2005, issued from File No.01/94/162/270/AM06/PC-1A, of the First Respondent as ultra virus, illegal, arbitrary, unconditional of the rights guaranteed under Article 21 and 301 of the Constitution of India.

For Petitioner : Mr. A.K.Jayaraj
For Respondents : No appearance

O R D E R
(through video conference)

Learned Counsel for the Petitioner submits that he is not pressing the Writ Petition in view of the fact that the goods have been released. He has filed a memo dated 02.11.2020 to that effect through e-mail, which is placed on record. This would not, however, preclude the Respondents from taking

further action for recovery of any amount due from the Petitioner following the prescribed procedure in consonance with the principles of natural justice in the manner recognized by law.

2. Accordingly, the Writ Petition is dismissed as withdrawn with the aforesaid clarifications. Consequently, connected miscellaneous petitions are closed. No costs.

Sd/-
Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

Maya
To

1. The Director General of Foreign Trade
and Ex-Officio
Additional Secretary to Government of India
Ministry of Commerce and Industry
Department of Commerce, New Delhi.
2. The Commissioner of Customs (Seaport-Import)
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A.SK(11/11/2020)

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