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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.07.2021

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THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.5748 of 2021
and WMP.No.6352 of 2021

M/s Amphora Commodities Pvt. Ltd.,
Flat No.77, BBC Villa, 7th Floor,
No.65, Prakasam Salai, Broadway,
Chennai - 600 108.
Rep.by its Director Mr.S.B.Ramesh.

...Petitioner

Vs

1. The Chairman,
Food Safety and Standards Authority of India,
GOI, Ministry of Health and Family Welfare,
3rd & 4th Floor, FDA Bhawan, Kotla Road,
Near Bal Bhawan, New Delhi - 110 002.
2. The Chief Executive Officer,
Member Secretary,
Food Safety and Standards Authority of India,
GOI, Ministry of Health and Family Welfare
3rd & 4th Floor, FDA Bhawan, Kotla Road,
Near Bal Bhawan, New Delhi - 110 002.
3. The Director (Imports)
Food Safety and Standards Authority of India,
GOI, Ministry of Health and Family Welfare
3rd & 4th Floor, FDA Bhawan, Kotla Road,
Near Bal Bhawan, New Delhi - 110 002.
4. The Regional Director (South India)
Food Safety and Standards Authority of India,
GOI, Ministry of Health and Family Welfare
Chennai Port Trust, Rajaji Salai,
Chennai - 600 001.
5. The Authorized Officer
Food Safety and Standards Authority of India,
GOI, Ministry of Health and Family Welfare
Chennai Port Trust, Rajaji Salai,
Chennai - 600 001.

...Respondents



Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondents herein to take samples, concerning the import of subject goods, viz., Desiccated Coconut Low Fat, covered under Bill of Entry No.2411681 dated 19.01.2021 and to get it tested with any accredited laboratory and based on the test report to accord necessary No Objection Certificate (NOC) for the release of the subject goods by also considering the petitioner's representation dated 04.02.2021 and 19.02.2021.

For Petitioner : Mr.S.Baskaran

For Respondents : Mr.SU.Srinivasan, ASG

O R D E R

The prayer made in this writ petition is to issue a direction to the respondents to take samples concerning the import of subject goods, viz., Desiccated Coconut Low Fat covered under Bill of Entry No.2411681 dated 19.01.2021 and get it tested with any accredited laboratory and based on the test report, accord necessary No Objection Certificate (NOC) for the release of the subject goods by considering the petitioner's representations dated 04.02.2021 and 19.02.2021.

2.Today, when the matter was taken up for consideration, the learned Assistant Solicitors General appearing for the respondents, on instructions, submitted that subsequent to the filing of this writ petition, the test was conducted and based on the laboratory report, NOC was issued to the petitioner and hence, nothing survives for adjudication herein.

3.At this juncture, the learned counsel for the petitioner submitted that the petitioner may be granted liberty to approach the authority concerned with a fresh representation, for getting a copy of the laboratory report.

4. Granting such liberty to the petitioner, the Writ Petition stands disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar



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NSK 04/08/2021