



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 09.11.2021

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.Nos.6757 & 6758 of 2015

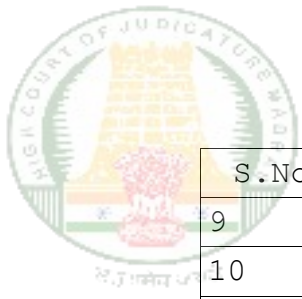
M/s.Suolificio Linea Italia (India) Private Ltd.,
Represented by its Authorised Signatory,
Abhishek Kumar Patni,
Flat No.2B & 2C, 2nd Floor,
Ankur Manor, No.182,
Poonamallee High Road,
Kilpauk, Chennai-600 010. ..Petitioner in WP.6757 of 2015

M/s.Chemcrown Exports Ltd.,
Represented by its Authorised Signatory,
Abhishek Kumar Patni,
Ankur Manor, 2nd Floor,
Flat No.2B & 2C, No.182,
Poonamallee High Road,
Kilpauk, Chennai-600 010. ..Petitioner in WP.6758 of 2015
..Vs..

The Zonal Joint Directorate
General of Foreign Trade,
Shastri Bhavan Annexe, IV Floor,
No.26, Haddows Road, Chennai-600 006. ..Respondent in both WPs

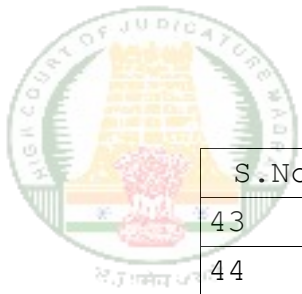
PRAYER in WP.No.6757 of 2015 : Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the Respondent to issue the authorizations/licenses in respect of the applications made by the petitioner given below within a reasonable time.

S.No.	File No.	Date	Licence
1	04/21/076/00225/AM07	12.12.2006	DFIA
2	04/21/037/00028/AM07	05.01.2007	DFRC
3	04/21/051/02683/AM07	11.01.2007	DEPB
4	04/21/037/00029/AM07	29.01.2007	DFRC
5	04/21/037/00030/AM07	29.01.2007	DFRC
6	04/21/076/00264/AM07	05.02.2007	DFIA
7	04/21/076/00261/AM07	09.02.2007	DFIA
8	04/21/037/00032/AM07	14.02.2007	DFRC



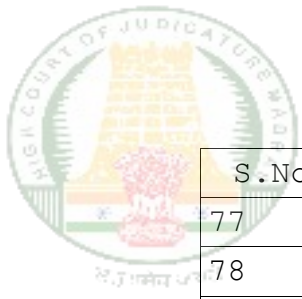
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S.No.	File No.	Date	Licence
9	04/21/037/00031/AM07	14.02.2007	DFRC
10	04/21/076/00282/AM07	27.02.2007	DFIA
11	04/21/076/00290/AM07	09.03.2007	DFIA
12	04/21/076/00301/AM07	27.03.2007	DFIA
13	04/21/076/00003/AM08	05.04.2007	DFIA
14	04/21/076/00020/AM08	03.05.2007	DFIA
15	04/21/076/00021/AM08	03.05.2007	DFIA
16	04/21/076/00024/AM08	07.05.2007	DFIA
17	04/21/076/00026/AM08	07.05.2007	DFIA
18	04/21/076/00035/AM08	18.05.2007	DFIA
19	04/21/076/00036/AM08	18.05.2007	DFIA
20	04/21/076/00041/AM08	24.05.2007	DFIA
21	04/21/076/00043/AM08	12.06.2007	DFIA
22	04/21/076/00049/AM08	03.07.2007	DFIA
23	04/21/076/00057/AM08	16.07.2007	DFIA
24	04/21/076/00067/AM08	07.08.2007	DFIA
25	04/21/076/00068/AM08	07.08.2007	DFIA
26	04/21/076/00071/AM08	21.08.2007	DFIA
27	04/21/076/00079/AM08	27.09.2007	DFIA
28	04/21/076/00081/AM08	27.09.2007	DFIA
29	04/21/076/00083/AM08	28.09.2007	DFIA
30	04/21/076/00094/AM08	04.12.2007	DFIA
31	04/21/076/00095/AM08	04.12.2007	DFIA
32	04/21/076/00096/AM08	04.12.2007	DFIA
33	04/21/076/00097/AM08	05.12.2007	DFIA
34	04/21/076/00103/AM08	07.12.2007	DFIA
35	04/21/076/00104/AM08	07.12.2007	DFIA
36	04/21/076/00111/AM08	14.01.2008	DFIA
37	04/21/076/00119/AM08	14.01.2008	DFIA
38	04/21/076/00131/AM08	10.03.2008	DFIA
39	04/21/076/00136/AM08	10.03.2008	DFIA
40	04/21/076/00124/AM08	11.03.2008	DFIA
41	04/21/076/00137/AM08	11.03.2008	DFIA
42	04/21/076/00138/AM08	11.03.2008	DFIA



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S.No.	File No.	Date	Licence
43	04/21/076/00139/AM08	13.03.2008	DFIA
44	04/21/076/00142/AM08	13.03.2008	DFIA
45	04/21/076/00143/AM08	13.03.2008	DFIA
46	04/21/076/00002/AM09	30.04.2008	DFIA
47	04/21/076/00003/AM09	30.04.2008	DFIA
48	04/21/076/00149/AM08	02.05.2008	DFIA
49	04/21/076/00001/AM09	02.05.2008	DFIA
50	04/21/076/00004/AM09	02.05.2008	DFIA
51	04/21/076/00019/AM09	06.06.2008	DFIA
52	04/21/076/00007/AM09	02.07.2008	DFIA
53	04/21/076/00020/AM09	02.07.2008	DFIA
54	04/21/076/00021/AM09	02.07.2008	DFIA
55	04/21/076/00046/AM09	10.10.2008	DFIA
56	04/21/076/00051/AM09	23.10.2008	DFIA
57	04/21/076/00058/AM09	10.11.2008	DFIA
58	04/21/076/00059/AM09	10.11.2008	DFIA
59	04/21/076/00060/AM09	10.11.2008	DFIA
60	04/21/076/00062/AM09	20.11.2008	DFIA
61	04/21/076/00063/AM09	24.11.2008	DFIA
62	04/21/076/00068/AM09	08.12.2008	DFIA
63	04/21/076/00073/AM09	17.12.2008	DFIA
64	04/21/076/00074/AM09	17.12.2008	DFIA
65	04/21/076/00075/AM09	26.12.2008	DFIA
66	04/21/076/00076/AM09	30.12.2008	DFIA
67	04/21/076/00087/AM09	25.02.2009	DFIA
68	04/21/076/00089/AM09	13.03.2009	DFIA
69	04/21/076/00094/AM09	27.03.2009	DFIA
70	04/21/076/00116/AM09	31.03.2009	DFIA
71	04/21/076/00003/AM10	17.04.2009	DFIA
72	04/21/076/00006/AM10	18.05.2009	DFIA
73	04/21/076/00010/AM10	26.05.2009	DFIA
74	04/21/076/00029/AM10	07.10.2009	DFIA
75	04/21/076/00030/AM10	09.10.2009	DFIA
76	04/21/076/00046/AM10	10.12.2009	DFIA



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S.No.	File No.	Date	Licence
77	04/21/076/00060/AM10	01.02.2010	DFIA
78	04/21/076/00061/AM10	10.02.2010	DFIA
79	04/21/076/00067/AM10	02.03.2010	DFIA

PRAYER in WP.No.6758 of 2015 : Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the Respondent to issue the authorizations/licenses in respect of the applications made by the petitioner given below within a reasonable time.

S.No.	File No.	Date	Licence
1	04/21/037/00010/AM07	07.08.2006	DFRC
2	04/21/037/00011/AM07	07.08.2006	DFRC
3	04/21/037/00113/AM07	11.08.2006	DFIA
4	04/21/076/00117/AM07	21.08.2006	DFIA
5	04/21/037/00019/AM07	07.09.2006	DFRC
6	04/21/037/00020/AM07	07.09.2006	DFRC
7	04/91/051/00605/AM07	29.11.2006	DEPB
8	04/21/076/00044/AM08	19.06.2007	DFIA
9	04/91/051/00178/AM08	09.08.2007	DEPB
10	04/91/051/00179/AM08	09.08.2007	DEPBA
11	04/21/076/00092/AM08	07.12.2007	DFIA

(In both WPs)

For Petitioner : Mr.G.Derrick Sam

For Respondents : Ms.N.K.Nithilavani
Central Government Standing Counsel

COMMON ORDER

The relief sought for in the present writ petitions are to direct the respondents to issue the authorisations/licences in respect of the applications made by the petitioners within a reasonable time.

2.The petitioners are the company and manufacturer and exporter of Footwear and Footwear Components. The petitioners company had filed several applications for obtaining licences under Duty Free Import Authorisation, Duty Entitlement Pass Book and Duty Free Replenishment Certificate schemes during the period 2006 to 2012 and 2006 to 2007 respectively.



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3.The learned counsel for the petitioners states that the petitioners company are entitled to obtain the benefits of all the schemes and the applications submitted by the petitioners in this regard are yet to be considered and disposed of by the respondent.

4.In this context, the learned counsel for the petitioners relied on the letters issued by the Deputy Director General of Foreign Trade, wherein the applications received from the petitioners are referred and further the Deputy Director General of Foreign Trade requested the Joint Director General of Foreign Trade to furnish a report in the matters for taking further necessary action. Inspite of the letters addressed to the Joint Director General of Foreign Trade, no action has been taken and therefore the petitioners are constrained to move the present writ petitions.

5.This Court is of the considered opinion that the applications filed under the provisions of the statute are to be considered by the competent authorities as quick as possible. Keeping such applications pending for long years would cause prejudice to the interest of the applicants and further. It is to be construed that the competent authorities are committing dereliction of duty and lapses in dealing with such applications filed by the applicants for availing certain benefits under various schemes. Under these circumstances, the respondent is directed to dispose of the applications submitted by the writ petitioners between 2006 to 2010 and 2006 to 2007 respectively, which are referred in the letters signed by the Deputy Director General of Foreign Trade, Chennai within a period of twelve weeks from the date of receipt of a copy of this order.

6.The petitioners are directed to enclose the copy of the applications, reference letters and all relevant documents along with the order passed in the writ petitions within a period of two weeks from the date of receipt of a copy of this order.

7.With these directions, the writ petitions stand disposed of. However, there shall be no order as to costs.

Sd/-
Assistant Registrar(CS-V)

//True Copy//

Sub Assistant Registrar

vs/kbs



To

The Zonal Joint Directorate General of Foreign Trade,
Shastri Bhavan Annexe, IV Floor,
No.26, Haddows Road,
Chennai-600 006.

W.P.Nos.6757 & 6758 of 2015

PA (CO)
RGA (24/11/2021)