



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.12.2021

CORAM :

THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

W.P.No. 32089, 32096, 32098, 32100 & 32105 of 2018

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W.M.P.No. 37345, 37338, 37342, 37347, 37349, 37350, 37353,
37355, 37356, 37357, 37358, 37360, 37367, 37370, 37373 of 2018

1.M/s.Rajni Exports and Imports
Rep.by its Partner
Rajiv Naaram
S/o. Munirathnam Naaram
No. 157 and 158 First Floor- B
Srinivasankumar Street
Golden George Nagar,
Nerkundram
Chennai-600 107

... Petitioner in WP.No.32089, 32098 of 2018

2.M/s.Niraj Agro Foods
Rep by its Managing Partner
Mr.Munirathnam Naaram
S/o.Chenganna
No.157 and 158 First Floor-B
Srinivasankumar street
Golden George Nagar
Nerkundram, Chennai-600107

... Petitioner in WP.No.32096, 32100 & 32105 of 2018

-Vs-

- 1.The Director General of Foreign
Trade Ministry of Commerce and Industries
Department of Commerce
Udyog Bhavan H.Wing Gate No.2
Maulana Azad Road
New Delhi 110 011.
- 2.The Joint Director General of Foreign Trade
Ministry of commerce and Industries
Department of Commerce
Udyog Bhavan H- Wing Gate No.2
Maulana Azad Road
New Delhi 110 011.



3.The Commissioner of Customs
Chennai II Commissionerate
Custom House No.60
Rajaji Salai, Chennai 600 001

... Respondents in all W.Ps.

WEB COPY

Prayer in W.P.No.32089 of 2018: Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus or any other writ, calling for the records relating to the notification No.19/2015-2020 dated 05.08.2017 issued by the 1st respondent and the Trade notice No.15/(2015-2020) dated 31.08.2017 to implement the same passed by the 2nd Respondent relating to Exim Code 0713600 so far it relates to Toor Whole and the further notification No.06/2015-2020 dated 04.05.2018 issued by the 1st respondent so far it relates to Exim Code 07139010 as well as Trade Notice No.06/2018-2019 dated 11.05.2018 passed by the 2nd Respondent quash the same and consequently direct the 3rd respondent to permit clearance of 1000 MTs of Toor Whole falling under Exim Code 0713 6000 in terms of Sales Contract No.18/TW/100/2018 dated 30.11.2018.

Prayer in W.P.No.32096 of 2018: Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus or any other writ, calling for the records relating to the notification No.19/2015-2020 dated 5.8.2017 issued by the 1st Respondent and the Trade notice No.15/(2015-2020) dated 31.8.2017 to implement the same passed by the 2nd Respondent relating to Exim code 0713600 so far it relates to Toor whole and the further notification No.06/2015-2020 dated 4.5.2018 issued by the 1st Respondent so far it relates to Exim code 07139010 as well as Trade Notice No. 06/2018 -2019 dated 11.5.2018 passed by the 2nd Respondent quash the same and consequently direct the 3rd Respondent to permit clearance of 2500 MTs of Toor whole falling under Exim code 0713 6000 in terms of sales contract No.AFPL/0133/TW/2018 dated 26.11.2018

Prayer in W.P.No.32098 of 2018: Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus or any other writ, calling for the records to notificaton NO 22/2015-2020 dated 21-8-2017 and notification No 06/2015-2020 dated 4-5-2018 issued by the Ist Respondent read with Trade Notice No. 19/2018 dated 25-10-2017 and the Trade Notice No 6/2018-2019 dated 11-5-2018 bearing F.No.M 5012/300-2002-PC 2(A) and F.NO.01/89/180-Misc. 13/AM-07/PC-A2 issued by the 2nd Respondent quash the same and consequently direct the 3rd respondent to permit clearance of 2500 MTs of Black Matpe falling under Exim Code 07133100 in terms of Sales Contract No AFPL/0126/BMP/2018 dated 19-11-2018



and pass such further or other order as this Honble court may deem fit and necessary under the circumstances of the case.

Prayer in W.P.No.32100 of 2018: Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus or any other writ, calling for records relating to the Notification Nos. 19/ 2015-2020 dated 05.08.2017 issued by the 1st respondent and the Trade Notice No. 15/ (2015-2020) dated 31.08.2017 to implement the same passed by the 2nd respondent relating to Exim Code 0713600 so far it relates to Toor whole and the further Notification No. 06/2015-2020 dated 04.05.2018 issued by the 1st respondent so far it relates to Exim Code 07139010 as well as Trade Notice No. 06/ 2018-2019 dated 11.05.2018 passed by the 2nd respondent quash the same and consequently direct the 3rd respondent to permit clearance of 480 MTs of Toor Whole falling under Exim Code 0713 6000 in terms of Sales Contract No. TISPL/ 18-19/ 5/ 0127 dated 28.11.2018.

Prayer in W.P.No.32105 of 2018: Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus or any other writ, calling for the records relating to the notification No.37/(2015-2020) dated 28/09/2018 issued by the 1st Respondent quash the same and clear 5,000 Mts of pigeon Peas falling under Exim code 07131000 in terms of Sales Contract No.PAT/1027-D/2018 dated 29/11/2018.

For Petitioner : M/S. G.Ethirajulu

For Respondents : Mr. J.Madhanagopal Rao
Senior Panel Counsel

COMMON O R D E R

The learned Counsel appearing for the petitioner as well as the respondents submit that the prayer in these Writ Petitions has become infructuous.

2. In view of the above submissions made by the learned counsel for both the parties, these Writ Petitions are dismissed as infructuous. No costs.

Sd/-

Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar



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To

1.The Director General of Foreign
Trade Ministry of Commerce and Industries,
Department of Commerce,
Udyog Bhavan H.Wing Gate No.2,
Maulana Azad Road,
New Delhi 110 011.

2.The Joint Director General of Foreign Trade
Ministry of commerce and Industries,
Department of Commerce,
Udyog Bhavan H- Wing Gate No.2,
Maulana Azad Road,
New Delhi 110 011.

3.The Commissioner of Customs,
Chennai II Commissionerate,
Custom House No.60,
Rajaji Salai, Chennai 600 001.

+lcc to Mr.G.Ethirajulu, Advocate SR. No.66998

+lcc to Mr.J.Vasu, Advocate SR. No.67011

+lcc to Mr.A.P.Srinivas, Advocate SR. No.66547

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SR(CO)

PR (12/01/2022)