



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.01.2021

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P (MD)No.14986 of 2020

and

W.M.P. (MD)Nos.12621, 12622 and 15140 of 2020

WEB COPY

Association of Pulses Importer,
Through Tuticorin Sea Port,
Represented by its Secretary,
S.Ramamoorthy.

... Petitioner

Vs.

1.The Secretary to Government of India,
Ministry of Commerce & Industry,
O/o. The Secretary to the Government of India,
Ministry of Commerce & Industry,
New Delhi.

2.The Director General of Foreign Trade,
O/o. The Director General of Foreign Trade,
Department of Commerce,
Ministry of Commerce & Industry,
New Delhi.

3.The Deputy Director General of Foreign Trade,
O/o. The Deputy Director General of Foreign Trade,
Department of Commerce,
Ministry of Commerce & Industry,
New Delhi.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order in F.No. M. 5012/300/2002/Pc-2[A]/Part - V/E-6708 dated 13.10.2020 on the file of the respondent No.3 published in their official website insofar validity of license for the imported Tur should arrive/land on Indian ports latest by 15.11.2020 is concerned and quash the same as illegal and consequently for a direction, directing the respondent No.3 to fix validity of license for the importing consignments of allocated imported Tur to reach Indian port on or before 31.03.2021 as per the Trade Notice No.06/2020-2021 dated 21.04.2020 on the file of the respondent No.3 within the time period stipulated by this Court.

For Petitioner : Mr.T.Lajapathi Roy

For Respondents : Mrs Victoria Gowri,

Assistant Solicitor General.



ORDER

Heard the learned counsel appearing for the petitioner and the learned Assistant Solicitor General appearing for the respondents.

2.The petitioner is an association of pulses importers through Tuticorin sea port. The petitioner challenges the impugned notification dated 13.10.2020, which states that the validity of the license to be issued for import of Tur will be 15.11.2020 and that the imported Tur should arrive/land on Indian Ports latest by 15.11.2020. The petitioner's counsel points out that the impugned notification dated 13.10.2020 is not in consonance with the Trade Notice No.06/2020-2021, dated 21.04.2020. I found the said contention to be rather formidable. But I am not able to allow the writ petition as sought for because as rightly pointed by the learned Assistant Solicitor General after issuance of the impugned notification, the petitioner's association moved the ministry on 14.10.2020 and sought extension of time upto 31.12.2020. This request made by the petitioner's association was favourably considered and accepted by the respondent/ministry, who have issued a fresh notification extending time from 15.11.2020 to 31.12.2020. It is necessary to point out that this writ petition was filed on 20.10.2020. Inasmuch as the petitioner's request was accepted, in my view the writ petition itself has become infructuous and it is not necessary to consider the petitioner's contentions on merits.

3.The writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (Crl.Side)

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/ /2021

Sub Assistant Registrar(CS)

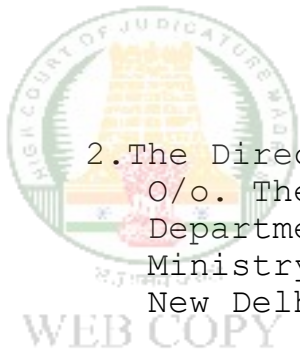
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Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The Secretary to Government of India,
Ministry of Commerce & Industry,
O/o. The Secretary to the Government of India,
Ministry of Commerce & Industry, New Delhi.

<https://hcservices.ecourts.gov.in/hcservices/>



2.The Director General of Foreign Trade,
O/o. The Director General of Foreign Trade,
Department of Commerce,
Ministry of Commerce & Industry,
New Delhi.

3.The Deputy Director General of Foreign Trade,
O/o. The Deputy Director General of Foreign Trade,
Department of Commerce,
Ministry of Commerce & Industry,
New Delhi.

+1 CC to M/s.T.LAJAPATHI ROY, Advocate (SR-1330[F]
dated 20/01/2021)

W.P (MD) No.14986 of 2020
19.01.2021

(MJ) CO
AP (02/02/2021) 3P 5C