

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.06.2022

CORAM

THE HON'BLE MR.JUSTICE R. MAHADEVAN
AND
THE HON'BLE MR.JUSTICE MOHAMMED SHAFFIQ

W.A.NO.3195 OF 2019

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

...Appellant / Third Party

Vs.

1.M/s.Royal Impex
No.38, Acharappan Street
2nd Floor, Chennai 600 001

...Respondent / Petitioner

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

3.The Assistant/Deputy Commissioner of Customs
Group-I, Chennai II Commissionerate
Customs House, No.60, Rajaji Salai
Chennai 600 001

...Respondents / Respondents

Writ Appeal filed under Clause 15 of the Letters Patent
against the order dated 27.02.2019 passed in W.P.No.4403 of 2019.

Prayer in W.P.No.4403 of 2019 : Petition filed under Article 226
of the Constitution of India praying for the issuance of Writ of
Mandamus directing the Respondents to cause release of the Peas
imported by the petitioner under 2 Bills of Entry Nos.9673078/
17.01.2019 and 9719874/19.1.2019 covered under contract No.786/
S-07545 - YWP dated 20.06.2018 in terms of the orders of this
Honourable court in W.P.No 26440 of 2018 dated 5.10.2018 and
further direct the Respondents to issue a Detention certificate
for waiver of Demurrage and container Detention charges in terms
of Regulations 6(1)(1) of Handling of cargo in customs Areas
Regulations 2009.

For Appellant : Mr.P.Vijayakumar
for Mr.J.Madanagopal Rao
Senior Panel Counsel

For R1 : Mr.B.Satish Sundar

For R2 and R3 : Mrs.Aparna Nandakumar

J U D G M E N T

(Judgment was delivered by R. MAHADEVAN, J.)

This Writ Appeal arises from the order dated 27.02.2019 passed by the learned Single Judge in W.P.No.4403 of 2019.

2. Today, when the matter was taken up for consideration, the learned counsel appearing for the appellant submitted that the Directorate General of Foreign Trade has issued notification for importing of pulses free till 31st March 2023 under Open General Licence and hence, nothing survives for adjudication herein. The learned counsel has also made an endorsement in the case bundle to that effect.

3. In view of the above submission and the endorsement made by the learned counsel for the appellant, this writ appeal is dismissed as having become infructuous. No costs.

Sd/-
Assistant Registrar(CS-IV)

// True Copy //

Sub Assistant Registrar

gya

To

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

2.The Commissioner of Customs
Chennai II Commissionerate
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Copy To

The Section Officer,
V.R.Section,
High Court, Madras.

W.A.No.3195 of 2019

AD(CO)
RVM(11/07/2022)