



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.02.2022

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN
AND
THE HONOURABLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

W.P.NO.22387 OF 2019

AND

W.M.P.NOS.21719, 21720 & 32660 OF 2019

Tirunveli Solar Project Private Limited,
having its registered office at D 43,
Janpath Shyam Nagar, Jaipur - 302 019.
Through its Authorised Signatory,
Mr.P.Elavarasu,
Assistant General Manager.

... Petitioner

Versus

1. The Union of India,
Through the Secretary to
Department of Revenue,
The Ministry of Finance,
The Government of India,
Room No.46, North Block,
New Delhi - 110 001.
2. The Directorate General of Trade Remedies,
The Department of Commerce,
The Ministry of Commerce and Industry,
4th Floor, Jeevan Tara Building,
Parliament Street,
New Delhi - 110 001.
3. The Commissioner of Customs,
Customs House,
60, Rajaji Salai,
Chennai - 600 001.
4. The Commissioner of Customs,
Custom House, New Harbour Estate,
Tuticorin - 628 004.
(R4 impleaded as per order dated 27/09/2019
in W.M.P.26202 of 2019 in W.P.No.22387
of 2019 by MSNJ and NSSJ)

... Respondents



PRAYER:-

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari, calling for the records pertaining to the Final Finding bearing F.No.22/1/2018-DGTR dated 16.07.2018 of the 2nd Respondent herein and the consequential notification of 1st respondent bearing No.01/2018-Customs (SG) dated 30.07.2018 purportedly under Section 8-B of the Customs Tariff Act, 1975 read with Rules 12,14,17 of the Customs Tariff (Identification and Assessment of Safeguard Duty) Rules, 1997, together with Instruction No.14/2018-Customs 13.09.2018, issued by the Respondent No.1 and quash the same as being illegal, against the mandatory provisions of the Customs Tariff Act, 1975, and the Rules framed there-under, besides being ultra vires the provisions of the Article 14 and 19(1)(g) of the Constitution of India.

For Petitioner : Mr.J.Ravikumar

For Respondents : Mr.P.R.Ramesh Babu

ORDER

(Order of the Court was made by R.MAHADEVAN,J.)

Today, this writ petition is listed under the caption "for withdrawal" based on the letter dated 08.02.2022 submitted by the learned counsel appearing for the petitioner, to the Registry.

2. The learned counsel for the petitioner seeks permission of this Court to withdraw this writ petition, as the relief sought herein has become infructuous, in view of the fact that during the pendency of this writ petition, the Government of India has allowed the notification imposing safeguard duty to be lapsed on 29.07.2021, which was not subsequently extended. He has also filed a memo dated 16.02.2022 to that effect.

3. Recording the submission and the memo so filed by the learned counsel for the petitioner, the writ petition is dismissed as withdrawn. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Deputy Registrar(CS)

//True Copy//

Sub Assistant Registrar



To

1. The Secretary to Department of Revenue,
The Union of India,
The Ministry of Finance,
The Government of India,
Room No.46, North Block,
New Delhi - 110 001.
2. The Directorate General of Trade Remedies,
The Department of Commerce,
The Ministry of Commerce and Industry,
4th Floor, Jeevan Tara Building,
Parliament Street,
New Delhi - 110 001.
3. The Commissioner of Customs,
Customs House,
60, Rajaji Salai,
Chennai - 600 001.
4. The Commissioner of Customs,
Custom House, New Harbour Estate,
Tuticorin - 628 004.

+1cc to Mr.J.Ravikumar, Advocate, S.R.No.10650

W.P.NO.22387 OF 2019

AD(CO)
PBS/04/03/2022