



WEB COPY



W.P.No.9453 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.07.2023

CORAM

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.No.9453 of 2021

M/s. Hajara Trading Company,
Represented by its Managing Partner, Mr.M.S.Hamdullah,
Aged 62 years,
New No.208, Old No.217, Linghi Chetty Street,
Parrys, Chennai 600 001.

... Petitioner

v.

1.The Director General of Foreign Trade,
Udyog Bhawan, H-Wing, Gate No.2,
Maulana Azad Road,
New Delhi 110 011.

2.The Additional Director General of Foreign Trade,
Udyog Bhawan,
New Delhi 110 011.

3.The Zonal Director General of Foreign Trade,
Shastri Bhawan Annexe,
No.26, Haddows Road,
Chennai 600 006.

4.The Commissioner of Customs,
Chennai – IV Commissionerate,
Custom House,
No.60, Rajaji Salai,
Chennai 600 001.

... Respondents



W.P.No.9453 of 2021

PRAYER: Writ petition filed under Article 226 of the Constitution of India,

praying to issue a writ of mandamus directing the 4th respondent to carryout amendment of Shipping Bills Nos.1336557 dated 22.06.2015, 2075320 dated 28.07.2015, 2631057 dated 26.08.2015, 3600225 dated 16.10.2015, 4788887 dated 18.12.2015, 5751379 dated 09.02.2016, 8388521 dated 21.06.2016, 9687861 dated 26.08.2016, 3512187 dated 17.01.2017, 4434123 dated 28.02.2017, 5107994 dated 30.03.2017 and 5347839 dated 11.04.2017 for MEIS benefit and directing the 1st, 2nd and 3rd respondents to grant MEIS benefits in respect of these shipments, based on such amendments, subject to these exports are otherwise, in order.

For Petitioner : Ms.R.Hari Shudharjanaa for
Mr.S.Murugappan

For Respondents : Mr.Rajesh Vivekanandan,
Senior Standing Counsel for R1 to R3
Mrs.Hema Muralikrishnan for R4

ORDER

The Writ Petition is filed praying for writ of mandamus to direct the 4th respondent to carryout amendment of Shipping Bills Nos.1336557 dated



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22.06.2015, 2075320 dated 28.07.2015, 2631057 dated 26.08.2015, 3600225 dated 16.10.2015, 4788887 dated 18.12.2015, 5751379 dated 09.02.2016, 8388521 dated 21.06.2016, 9687861 dated 26.08.2016, 3512187 dated 17.01.2017, 4434123 dated 28.02.2017, 5107994 dated 30.03.2017 and 5347839 dated 11.04.2017 for MEIS benefit and directing the 1st, 2nd and 3rd respondents to grant MEIS benefits in respect of these shipments, based on such amendments, subject to these exports

2. The petitioner had filed periodical representations dated 21.08.2019, 30.08.2019, 30.09.2019 before the respondents 1 to 4 requesting them to permit the petitioner to rectify the shipping bills in particular the portion wherein, it was mistakenly entered "No scheme award" during the preparation of shipping bill, by the Shipping Agent which had resulted in the petitioner being denied incentives such as Merchandise Exports from India Scheme (MEIS) etc. It is submitted by the learned counsel for the petitioner that the above representations are kept pending and orders are yet to be passed.

3. The learned counsel for the respondents submitted that the



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representations of the petitioner would be considered within a period of 8 weeks.

4. Recording the same, the writ petition stands disposed of with a direction to the respondents to consider the representations of the petitioner and pass orders in accordance with law within a period of 8 weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any views with regard to the merits of the representations and it is open to the respondents to consider the representations on its own merits. No Costs. Consequently, connected miscellaneous petition, if any, is closed.

06.07.2023

Index: Yes/No
Internet: Yes/No
Speaking order/Non Speaking order
Shk



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MOHAMMED SHAFFIQ, J.

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