



WP No.1625 OF 2011

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.04.2024

CORAM

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

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M/S.A.V.Trading Company,
rep. By its Partner Amit Hirohi

: Petitioner

versus

1.THE DIRECTOR GENERAL OF FOREIGN TRADE
AND EX-OFFICIO
ADDL. SECRETARY TO GOVT. OF INDIA
MINISTRY OF COMMERCE AND INDUSTRY
DEPT. OF COMMERCE, NEW DELHI

2.THE COMMISSIONER OF CUSTOMS (SEAPORT-IMPORT)
CUSTOM HOUSE, NO.60 RAJAJI SALAI
CHENNAI 1.

3.THE ADDL. COMMISSIONER OF CUSTOMS
GR. 5A CUSTOM HOUSE
NO.60 RAJAJI SALAI, CHENNAI 1

: Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Declaration declaring the impugned Notification No. 31/2005 dated 19.10.2005 issued from File No.01/94/162/270/AM06/PC-1A of the 1st respondent as ultra virus, illegal, arbitrary, unconstitutional of the rights guaranteed under Article 21 and Art. 301 of the Constitution of India.



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For Petitioner : Mr.A.K.Jayaraj
For 1st Respondent : Mr.AR.L.Sundaresan,
Additional Solicitor-General,
assisted by Mr.V.Chandrasekaran
For Respondents 2, 3 : Mr.M.Santhanaraman,
Senior Panel Counsel

ORDER

(Made by the Hon'ble Chief Justice)

We have heard Mr.A.K.Jayaraj, learned counsel for the petitioner and Mr.AR.L.Sundaresan, learned Additional Solicitor-General for the first respondent and Mr.M.Santhanaraman, learned Senior Panel Counsel for respondents 2 and 3.

2. Learned counsel for the petitioner submits that the petitioner would not press the challenge to the notification impugned in the writ petition; however, submits that the petitioner would appear before the authority concerned.

3. The petitioner is at liberty to appear in the adjudication proceedings if not already adjudicated. In that event, the petitioner may raise the contentions before the authority concerned.



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4. The writ petition is accordingly disposed of. There shall be no order as to costs. Consequently, MP Nos.1 and 2 are closed.

(S.V.G., CJ.) (J.S.N.P., J.)
10.04.2024

Index : Yes/No
Neutral Citation : Yes/No
tar

To

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