



WP No.9371 of 2013

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.10.2024

CORAM

THE HON'BLE MR.K.R.SHRIRAM, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

WP No.9371 of 2013

M/s.P.P.Products Pvt. Ltd.,
rep. By its Director,
Chandra Prakash Ramsisaria

: Petitioner

versus

1.Union of India,
Ministry of Finance,
rep. By its Secretary,
Department of Revenue,
North Block, New Delhi 110011

2.The Commissioner of Customs (Appeals)
60, Rajaji Salai,
Custom House, Chennai 1

3.The Additional Commissioner of Customs, DFIA
60, Rajaji Salai,
Custom House, Chennai 1

: Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Declaration declaring the impugned Section 93 of the Finance Act, 2009 as ultra vires the Foreign Trade (Development) Act 1992 the Foreign Trade Policy and relevant Hand Book of Procedure, the Customs Act, 1962 Notification No.40/2006-Cus dated 01.05.2006 as amended from time to time and Article 14,19(1)(g) 21 and 265 of Constitution of India.

For Petitioner : Mr.R.Anish Kumar



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For Respondents : Mr.M.Santhanaraman

ORDER

(Order of the Court was made by the Hon'ble Chief Justice)

Counsel for petitioner states that in view of the decision of this Court pronounced on 01.11.2017 in WP Nos.8334 of 2013 etc. batch, **(Tarajyot Polylmers Ltv. vs. Union of India, Ministry of Finance and others)** which was upheld by the Apex Court in **Union of India & Ors. vs. M/s.Samarth Corporation**, dated 11.04.2023, in SLP No.30519 of 2018, nothing would survive in the petition.

2. Petition allowed on the same terms. There will be no order as to costs.

(K.R.SHRIRAM, C.J.)

**(SENTHILKUMAR
RAMAMOORTHY, J.)**

22.10.2024

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



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To

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