



WEB COPY



W.A.Nos.1943, 1945, 1946,
1995 and 1997 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.09.2024

CORAM

**THE HON'BLE MR.JUSTICE R.SURESH KUMAR
AND
THE HON'BLE MR.JUSTICE C.SARAVANAN**

**Writ Appeal Nos. 1943, 1945, 1946, 1995 and 1997 of 2024
and C.M.P.Nos.13993, 13997, 14000, 14008, 14000, 14008
14009, 14258, 14261 and 14262 of 2024**

- 1.The Commissioner of Customs
Customs House
No.60, Rajaji Salai, Chennai 600 001.
- 2.Joint / Additional Commissioner
of Customs (Group 1-B), Customs House
No.60, Rajaji Salai, Chennai 600 001.
- 3.Assistant Commissioner of Customs
(Group1-B), Customs House
No.60, Rajaji Salai, Chennai 600 001.
- 4.Assistant Commissioner
Special Intelligence & Investigation
Branch (SIIB), Customs House
No.60, Rajaji Salai, Chennai 600 001.

... Appellants in all
the appeals

Vs.

M/s.Universal Impex
G-39, APMC Market-1, Phase-2
Vashi (Turbhe), Navi Mumbai-400 705
Rep.by its Proprietor
Shri Sarfraj Jaliyawala.

.... Respondent in all
the appeals



*W.A.Nos.1943, 1945, 1946,
1995 and 1997 of 2024*

Writ Appeals under Clause 15 of the Letters Patent against the order dated 06.02.2024 in W.M.P.Nos.36324, 36403, 33155, 33156 and 32928 of 2023 in W.P.Nos.36343, 36399, 33420, 33422 and 33213 of 2024.

In all W.As.

For Appellants : Mr.Rajendran Raghavan
For Respondent : Mr.B.Sathish Sundar

J U D G M E N T

(Delivered by R. SURESH KUMAR, J.)

Heard Mr.Rajendran Raghavan, learned counsel for the appellants and Mr.B.Sathish Sundar, learned counsel for the respondent.

2. The present set of appeals have been filed against the common order dated 06.02.2024 passed by the writ Court in miscellaneous petitions in W.M.P.Nos.36324, 36403, 33155, 33156 and 32928 of 2023 in W.P.Nos.36343, 36399, 33420, 33422 and 33213 of 2024.

3. By the said order, the writ Court directed the FSSAI authorities to re-test the goods imported viz., areca nuts for identifying as to whether it is the goods as declared by the dealer and also to determine as to whether the same is fit for human consumption.



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4. Though the said order has been challenged in these writ appeals, it is submitted by the learned counsel for both sides that, pursuant to the said order, which is impugned herein, the FSSAI authorities have tested the goods in question, based on which the main writ petitions were disposed of by a common order dated 23.04.2024, allowing the writ petitions directing the Customs authorities to release the goods.

5. In fact, as against the said order passed by the writ Court on 23.04.2024, the Department filed intra Court appeals in W.A.Nos.1537 of 2024 etc., batch and the said batch of appeals also came to be dismissed by a Co-ordinate Bench of this Court by order dated 24.07.2024. In the meanwhile, adjudication orders also have been passed by the Customs Authorities on 22.07.2024, which is the subject matter in W.P.No.23836 of 2024, which came up for admission before the Writ Court and it has been adjourned to 12.09.2024 for further hearing.

6. When these are all the developments that have taken place subsequent to the passing of the impugned order, virtually nothing survives in this batch of writ appeals for adjudication. This position cannot be controverted by both sides. In view of the aforesaid, since no adjudication is required as



sought for,

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R.SURESH KUMAR, J.
AND
C.SARAVANAN, J.

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the writ appeals are liable to be dismissed. Accordingly, all these writ appeals are dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

(R.S.K.,J.) (C.S.N.,J.)
05.09.2024

NCS : Yes/No
Index : Yes/No
KST

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