



W.P.Nos.19536 of 2022, etc batch

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.06.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.Nos.19536, 19539, 19544, 19547, 19550, 19554,
19556 & 19560 of 2022 and

WMP.Nos.18814, 18815, 18818, 18819, 18828, 18829, 18831, 18832,
18839, 18840, 18846, 18847, 18848, 18851, 18854 & 18855 of 2022

WP.No.19536 of 2022

M/s.Udupi Cochin Shipyard Limited
(Formerly known as M/s Tebma Shipyards Limited),
Represented by its authorized signatory Jose V.J.,
Having its Registered Office at:
S.No.377 Pazhamathur Village,
Pukathurai Post, Madurantakam Taluk,
Kancheepuram, Tamilnadu, India 603 116

... Petitioner

Vs.

Ministry of Commerce and Industry,
Represented by the Deputy Director
General of Foreign Trade,
Having office at:
26, Haddows Road, 4th Floor(ANNEX)
Shastri Bhavan, Nungambakkam High Road,
Chennai, Tamilnadu 600 03

... Respondent

PRAYER: Writ Petition is filed under Article 226 of Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for the records of the respondent in relation to the Impugned Order No.F.No. 04/21/ 021/00653/ AM07 dated 07.08.2020 and quash the impugned



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order and the recovery of the sum of Rs.50,00,000/- being the penalty in addition to the customs duty (duty saved value utilized) and interest thereon as being arbitrary, illegal and contrary to Section 31(1) of the Insolvency and Bankruptcy Code, 2016 and to direct the respondent to remove the name of the petitioner company from the Denied Entity List maintained by the respondent.

For Petitioner
in all WP's : Mr.R.Sankar Narayanan,
Senior Counsel
for Mr.Ravi Rajagopalan

For Respondent
in all WP's : Mr.N.Ramesh,
Standing Counsel

COMMON ORDER

These writ petitions have been filed to quash the orders of the respondent to recover penalty and also the show cause notices issued by the respondent.

2. In view of the closure letter served by the respondent and also closing of the show cause notices impugned in these writ petitions, nothing survives in these writ petitions for adjudication. As such, the prayer sought for in these writ petitions have become infructuous.



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3. Accordingly, all the writ petitions are dismissed as infructuous. Consequently, connected miscellaneous petitions are closed.

There shall be no order as to costs.

18.06.2024

Neutral citation: Yes/No

Index: Yes/No

Speaking/Non-speaking order
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G.K.ILANTHIRAIYAN, J.

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To
Deputy Director
General of Foreign Trade,
Ministry of Commerce and Industry,
Having office at:
26, Haddows Road, 4th Floor(ANNEX)
Shastri Bhavan, Nungambakkam High Road,
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