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WA.Nos.1438 of 2025 etc. b



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.06.2025

CORAM
THE HONOURABLE MRS. JUSTICE J.NISHA BANU
AND
THE HONOURABLE MR. JUSTICE M.JOTHIRAMAN

WA.Nos.1438, 1436, 1440, 1441 & 1450 of 2025
and
CMP.Nos.10933, 10954, 11039 10907 & 10918 of 2025

Mold Masters Technologies Private Limited
(now known as Milacron India Private Limited)
Previously having address at
Shiv Chambers,
247, Alagesan Road, Saibaba Colony,
Coimbatore - 641 011

and now having address at
3B, Gandhiji Salai, Nallampalayam Road,
Rathinapuri (Post), Coimbatore - 641 027
represented by its Authorised Signatory,
Mrs.Praveena Dhanagopal

.. Appellant in all these Appeals

Vs.

1. Union of India,
Ministry of Commerce and Industry,
through its Secretary,
Udyog Bhawan,
New Delhi - 110 001.
2. Union of India,
Ministry of Finance,
Through its Secretary,
North Block, New Delhi - 110 001.
3. Director General of Foreign Trade,



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Ministry of commerce and Industry,
Government of India,
Udyog Bhawan,
New Delhi - 110 001.

4. Joint Director General of Foreign Trade,
Office of the Joint Director General of Foreign Trade,
1544, India Life Building (Annexe), I Floor,
Trichy Road, Coimbatore - 641 018.. Respondents in all these Appeals

Prayer: Writ appeals filed under Clause 15 of the Letters Patent, to set aside the common judgment dated 30.09.2024 passed by this Court in W.P.Nos.12733, 12739, 12744, 12745 & 12746 of 2020 and W.M.P.Nos.15728, 15730, 15732, 15737, 15738 & 15739 of 2020.

For Appellants : Mr.Karthik Sundaram

For Respondents : Mr.V.Chandrasekar,
Standing Counsel

COMMON JUDGMENT

(Judgment of the Court was delivered by J.NISHA BANU, J.)

The issue involved in the writ petitions relate to the demand made by the respondents directing the petitioner to remit the excess amount towards reward/ incentive granted to the petitioner in Serve from India Scheme (SFIS Scheme)

2. The writ Court, without going into the merits of the matter, disposed of the writ petitions mainly on the ground that there is an alternative



remedy of appeal available before the Additional Director General of Foreign Trade under Section 15 of Foreign Trade (Development and Regulation Act, 1992).

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3. Section 15 of The Foreign Trade (Development and Regulation Act, 1992) is extracted hereunder:

15. Appeal-

(1) Any person aggrieved by any decision or order made by the Adjudicating Authority under this Act may prefer an appeal -

(a) where the decision or order has been made by the Director General, to the Central Government,

(b) where the decision or order has been made by an officer subordinate to the Director general, to the Director General or to any officer superior to the Adjudicating Authority authorised by the Director General to hear the appeal, within a period of forty-five days from the date on which the decision or order is served on such person:

4. In view of the same, the learned single Judge has rightly disposed of



WEB COPY

the writ petition holding that " *When an alternative, effective and efficacious remedy of appeal is available before the appellate authority, invocation of writ jurisdiction under Article 226 of the Constitution of India is not proper.*"

5. Therefore, finding no infirmity in the common order passed by the writ Court and keeping open the rights and contentions of the parties, the Writ Appeals stand dismissed. No costs. Consequently, connected Miscellaneous Petitions are closed.

[J.N.B.,J.] [M.J.R.,J.]
02.06.2025

vsi

Index:Yes/No

Speaking order/Non-speaking order

Neutral Citation:Yes/No

To

1. The Secretary, Union of India,
Ministry of Commerce and Industry,
Udyog Bhawan, New Delhi - 110 001.
2. The Secretary, Union of India,
Ministry of Finance,
North Block, New Delhi - 110 001.
3. Director General of Foreign Trade,
Ministry of commerce and Industry,
Government of India, Udyog Bhawan,
New Delhi - 110 001.



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4. Joint Director General of Foreign Trade,
Office of the Joint Director General of Foreign Trade,
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WEB COPY



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