



W.P.(MD) No.10999 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.04.2025

CORAM:

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

W.P.(MD) No.10999 of 2025

Mano Exim,
represented by its Proprietor,
Kasthuri Sathish Kumar. ... Petitioner

Vs

- 1 The Government of India,
Represented by its Secretary,
Ministry of Commerce and Industry,
Department of Commerce,
Directorate General of Foreign Trade,
Room No.143, Vanjiya Bhawan,
New Delhi – 110 011.
- 2 The Government of India,
Represented by its Secretary,
Ministry of Micro, Small and Medium Enterprises,
Udyog Bhawan, Rafi Marg,
New Delhi – 110 011.
- 3 The Director,
Office of Directorate General of Foreign Trade,
Vanjiya Bhawan, A Wing, 16, Akbar Road,
New Delhi – 110 011.
- 4 The Joint Director,
Regional Office of Directorate General of Foreign Trade,
Shastri Bhawan, Haddows Road,
Subba Road Avenue, Nungambakkam,
Chennai - 600 006.



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- 5 The Chairman (Regional),
The Export Promotion Council of Handicrafts (EPCH),
G-1, Ground Floor, SRM Muthu Enclave,
13, Harrington Road, 11th Avenue, Shenoy Nagar,
Chennai – 600 030.
- 6 The State Planning Commission,
Wallahjah Road, PWD Estate, Chepauk,
Triplicane,
Chennai - 600 005.
- 7 The District Forest Officer,
Collector Office, Kadampa Nagar,
Ramanathapuram - 623 503,
Ramanathapuram District. ... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a writ of mandamus, directing the 1st and 3rd respondents herein to amend the export policy of Wood Charcoal from Prosopis Juliflora (Seemai Karuvelam) to free in the Chapter 44 in Schedule - 2 of ITC (HS), Export Policy 2022, and allow the export of Wood Charcoal from Prosopis Juliflora (Seemai Karuvelam) by making an amendment similar to the amendment made with respect to Bamboo Charcoal in Notification No. 08/2015-2020, dated 19.05.2022, which was notified by 1st respondent under Section 3 read with Section 5 of the Foreign Trade (Development and Regulation) Act, 1992, considering the petitioner's representation, dated



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20.01.2025, and also by considering the 6th respondent's report and plan on Prosopis Juliflora (Seemai Karuvelam) to get implemented and taking into account the Global demand for wood charcoal as well as welfare of the southern districts of Tamil Nadu.

For Petitioner : Mr.K.Vasanth Kumar

For Respondents 1 to 5 : Mr.R.Murali

For Respondents 6 & 7 : Mr.S.Shaji Bino,
Spl. Govt. Pleader.

ORDER

The petitioner wants this Court to re-write the policy decision, taken by the Union of India.

2. Though I would love to re-write the policy, I do not have jurisdiction under Article 226 of the Constitution of India to do so. It is for the Government of India to decide what it wants to permit to export and what it does not want. This Court should not enter the arena at that stage. It is open to the petitioner to pursue its representation. There cannot be a mandamus to dispose of the same, as no statutory duty is cast on the Union of India to consider it.



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3. With the above observations, the Writ Petition is dismissed. No costs.

22.04.2025

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