
(2008) 12 MAD CK 0287

In the Madras High Court

Case No : Writ Petition (MD) No's. 7997 of 2007, 1312, 2227, 2529, 2769, 2770, 2858, 3050, 3051, 3052, 3136, 3138, 3592, 3593, 3659, 3686, 3700, 4213, 4229 and 4497 of 2008 and M.P. (MD) No's. 1, 1, 1, 1, 1, 1, 1, 1, 1, 1, 1, 1, 1, 1, 1 and 1 of 2008 and

Unik Traders

APPELLANT

Vs

Union of India (UOI)

RESPONDENT

Date of Decision : 05-12-2008

Acts Referred:

Constitution of India, 1950 — Article 14, 19, 19(1), 226, 301
Foreign Trade (Development and Regulation) Act, 1992 — Section 3, 5

Citation : (2009) 241 ELT 338

Hon'ble Judges : S. Nagamuthu, J

Bench : Single Bench

Advocate : K. Chandrasekaran for S.S. Baskaran, for the Appellant; D. Sivaraman, for R-1 and R-2, P. Krishnasamy, for R-3 and Arul Vadivel @ Sekar, Assistant Solicitor General in W.P.(MD) No. 1312 of 2008 for R-1 to R-3, for the Respondent

Final Decision : Dismissed

Judgement

S. Nagamuthu, J.—A Notification bearing No. 25 (Re-2007)/2004-2009 dated 29.08.2007 issued by the second respondent / Director General of Foreign Trade and Ex-Officio Additional Secretary to the Government of India in exercise of powers conferred by Section 5 of the Foreign Trade (Development and Regulation) Act, 1992 (hereinafter referred to as "the Act") read with paragraph 2.1 of the Foreign Trade Policy - 2004 - 09 is under challenge in all these writ petitions. All the writ petitions were heard together and they are disposed of by means of this common order.

2. The petitioners in all these writ petitions are either importers or traders of betel nuts. They claim that they are in the practice of importing betel nuts in substantial quantities every year from South East Asian countries like Indonesia and Thailand. According to them, they can conveniently import the same through

anyone of the ports on the Eastern Coast. But, the respondents issued the impugned Notification, thereby amending the import policy for certain items as detailed below:

Exim	Item	Policy	Policy conditions	Code	Description
	Betel Nuts:	0802	9010		Whole Free Import allowed only through Mangalore Port.
		0802	9012		Split Free Import allowed only through Mangalore Port
		0802	9013		Ground Free Import allowed only through Mangalore Port
		0802	9019		Other Free Import allowed only through Mangalore Port.

The grievance of the petitioners is that the restriction of import of the betel nuts only through Mangalore Port is highly unreasonable, arbitrary and unconstitutional and therefore, the same is liable to be quashed.

3. The following are the main grounds raised by the petitioners:

(1) The impugned Notification has failed to take into account the fact that betel nut is imported in substantial quantities from South East Asian Countries more particularly Indonesia and Thailand and prohibiting the ports in the East Coast of India from receiving betel nut is arbitrary, which violates Article 14 of the Constitution of India.

(2) There is no rational nexus between the impugned Notification and the object sought to be achieved inasmuch as there is no evidence on the face of the record to show that restricting imports to the port of Mangalore would achieve any of the objects sought to be achieved under the Foreign Trade (Development and Regulation) Act, 1992 or Paragraphs 2.6 of the EXIM Policy.

(3) The restrictions imposed by means of the Impugned Notification are deliberately designed to increase the costs to the petitioners and to delay their import consignments and in order to give illegal advantage to a few select entities.

(4) While Trade and Commerce throughout the Territory of India is free and when under the EXIM policy imports of betel nuts are free, the impugned Notification imposes restrictions on geographical basis without any rationale.

(5) The classification made in the Impugned Notification on Geographical basis has no intelligible criteria and the same has no reasonable nexus with the object sought to be achieved.

4. In the counter affidavit filed by the Deputy Director General of Foreign Trade, inter-alia, it has been contended as follows:

(1) The impugned Notification is a policy decision of the Government, which cannot be subjected to judicial review by this Court as the petitioners have not made out any case to bring the same under any of the yardsticks laid down by the Hon"ble Supreme Court time and again.

(2) Major portion of import of betel nut by Nepal was finding its way through

smuggling into India through unauthorized routes. Therefore, in order to stop illegal import of betel nuts of third countries into India from Nepal through Jogbani and Panitanki Land Customs Stations, the Notification had to be issued.

(3) The impugned Notification has been issued in public interest to provide protection to the domestic farmers of betel nut located in the states of Karnataka and Kerala near Mangalore Port. The intention behind this Notification is also to neutralize the domestic freight cost disadvantage suffered by the producers of betel nut located in Karnataka and Kerala i.e., near Mangalore Port. The import of betel nut through Mangalore port will neutralize the freight cost advantage enjoyed by the imports made at ports away from domestic producers in the country.

(4) Yet another reason for the Notification is to bring the cost of imported betel nuts close to the price of domestic betel nuts, so that the domestic farmers can be provided adequate remunerative price for their produce.

(5) The Notification has not restricted free flow of trade and commerce within the Territory of India by imposing restriction on import of betel nuts only through Mangalore Port. The Impugned Notification is neither unreasonable nor does it violate Section 5 of the Foreign Trade (Development & Regulation) Act, 1992 read with para 2.1 of the Foreign Trade Policy.

5. Before advertng to the other grounds raised, let me, first, consider the legal position regarding the scope of judicial review of policy decision of the government, under Article 226 of the Constitution of India.

6. Admittedly, the Notification under challenge is part of the export and import policy of the Central Government. In general, such kind of policy decisions of the Central Government, which are based on statistics, economy of the country, public interest, experts opinion and other relevant factors cannot be subjected to judicial review. However, there are exceptions to the said Rule.

7. In *BALCO Employees Union (Regd.) Vs. Union of India and Others*, a Constitution Bench of the Hon'ble Supreme Court while analysing the scope of judicial review in respect of policy decisions has held as follows:

In a democracy, it is the prerogative of each elected Government to follow its own policy. Often a change in Government may result in the shift in focus or change in economic policies. Any such change may result in adversely affecting some vested interests. Unless any illegality is committed in the execution of the policy or the same is contrary to law or mala fide, a decision bringing about change cannot per se be interfered with by the Court. it is neither within the domain of the courts nor the scope of the judicial review to embark upon an enquiry as to whether a particular public policy is wise or whether better public policy can be evolved. Nor are the Courts inclined to strike down a policy at the behest of a petitioner merely because it has been urged that a different policy would have been fairer or wiser or more scientific or more logical.

Wisdom and advisability of economic policies are ordinarily not amenable to judicial review unless it can be demonstrated that the policy is contrary to any statutory provision or the Constitution. In other words, it is not for the Courts to consider relative merits of different economic policies and consider whether a wiser or better one can be evolved. In matters relating to economic issues, the Government has, while taking a decision, right to "trial and error" as long as both trial and error are bona fide and within limits of authority. For testing the correctness of a policy, the appropriate forum is Parliament and not the Courts. Here the policy was tested and the motion defeated in the Lok Sabha on 1/3/2001.

In the case of a policy decision on economic matters, the Courts should be very circumspect in conducting any enquiry or investigation and must be most reluctant to impugn the judgment of the experts who may have arrived at a conclusion unless the Court is satisfied that there is illegality in the decision itself.

8. In *Liberty Oil Mills and Others Vs. Union of India (UOI) and Others*, , while dealing with the Court's interference in respect of Import Policy of the Government, the Court has held as follows:

The Import Policy of any country, particularly a developing country, has necessarily to be tuned to its general economic policy founded upon its constitutional goals, the requirements of its internal and international trade, its agricultural and industrial development plans, its monetary and financial strategies and last but not the least the international political and diplomatic overtones depending on "friendship, neutrality or hostility with other countries". There must also be a considerable number of other factors which go into the making of an import policy. Expertise in public and political, national and international economy is necessary before one may engage in the making or in the criticism of an import policy. Courts do not possess the expertise and are consequently incompetent to pass judgment on the appropriateness or the adequacy of a particular import policy.

9. In *Bennett Coleman and Co. and Others Vs. Union of India (UOI) and Others*, , the Hon"ble Supreme Court has held as follows:

...The argument of the petitioners that Government should have accorded greater priority to the import of newsprint to supply the need of all newspaper proprietor to the maximum extent is a matter relating to the policy of import and this Court cannot be propelled into the uncharted ocean of Governmental policy....

10. In *M/s. Ugar Sugar Works Ltd. Vs. Delhi Administration and Others*, , while dealing with the policy regulating trade in Liquor in Delhi, the Hon"ble Supreme Court has held as follows:

...It is well settled that the courts, in exercise of their power of judicial review, do not ordinarily interfere with the policy decisions of the executive unless the policy

can be faulted on grounds of mala fide, unreasonableness, arbitrariness or unfairness etc. Indeed, arbitrariness, irrationality, perversity and mala fide will render the policy unconstitutional. However, if the policy cannot be faulted on any of these grounds, the mere fact that it would hurt business interests of a party, does not justify invalidating the policy. In tax and economic regulation cases, there are good reasons for judicial restraint, if not judicial deference, to judgment of the executive. The courts are not expected to express their opinion as to whether at a particular point of time or in a particular situation any such policy should have been adopted or not. It is best left to the discretion of the State....

11. In *Dhampur Sugar (Kashipur) Ltd. Vs. State of Uttranchal and Others*, , the Hon"ble Supreme Court has held as follows:

...In other words, every action of a public authority must be based on utmost good faith, genuine satisfaction and ought to be supported by reason and rationale. It is, therefore, not only the power but the duty of the court to ensure that all authorities exercise their powers properly, lawfully and in good faith. If powers are exercised with oblique motive, bad faith or for extraneous or irrelevant considerations, there is no exercise of power known to law and the action cannot be termed as action in accordance with law....

12. An analysis of all the above Judgments of the Hon"ble Supreme Court would make it undoubtedly clear that unless a policy decision can be faulted on the grounds of mala fides, unreasonableness, arbitrariness or unfairness etc., the Court cannot sit over such policy decision to review the same. It may be true that such a policy decision of the Government may be against the business interest of a party, but that by itself would not justify to invalidate the policy. Keeping in view the above settled position of law, let me now proceed to examine the facts of the case to find whether the Impugned Notification is either arbitrary or unreasonable or unfair etc, so as to fall within the scope of judicial review.

13. At this juncture, it is necessary to know the background of the Notification. According to the statistics available with the Central Government, betel nuts is grown in more than 4 lakhs acres of land in the States of Karnataka, Kerala and Assam and the total production of betel nuts of the country is approximately 5 lakh M.T. Large number of people from these areas are depending on its cultivation. But the domestic production does not meet the demand of the consumers. Therefore, the import of betel nut is allowed. However, import of betel nuts in large quantities would naturally affect the interest of the home producers of betel nuts, which would certainly tend to threaten to generate unemployment and other related problems. According to the Central Government, the increased import of betel nuts is harming the interest of the domestic producers more particularly in the states of Karnataka and Kerala. Low priced imported betel nuts cause loss to the domestic betel nut farmers. In order to neutralize the freight cost advantage enjoyed by the imported betel nut arriving at centres close to consumption in North and Eastern India, the

restriction on import of betel nut through Mangalore Port seems to have been imposed. It is in order to bring the cost of betel nut close to the home produce, so that the domestic farmers can be provided adequate remunerative price for their produce, the import of betel nut needs to be regulated.

14. To have a sustained economic growth and to avoid unhealthy competition between the domestic growers and the importers, it is absolutely the duty of the Government to make regulations in respect of the import of betel nuts. Major cultivation of betel nut is, admittedly, done in the States of Kerala and Karnataka, which are located near Mangalore Port. Statistics show that about 5 lakhs M.TS of betel nut is produced every year from these areas. It cannot be disputed that the import of betel nut, if not controlled and if the imported betel nuts are allowed to be sold at a very low price, it would certainly affect the local market. The domestic producers will find it very difficult to market their produces and thus, it will ultimately affect betel nut growers to a greater extent. In a country like ours, the Government is obliged to take endeavours to increase the domestic production by extending the area of cultivation, so as to reduce the import stage by stage. Steady increase in export and decrease in import would naturally sustain the economy of the country and project the country in the global market as a mighty competitor. Therefore, it is necessary for the Government to keep control over the import of betel nuts.

15. Needless to say that Sections 3 and 5 of the Act empowers the Central Government to regulate the export as well as import. In the words of the Hon"ble Supreme Court [vide Union of India (UOI) and Others Vs. Asian Food Industries,]. "the purport and object for which the 1992 Act was enacted was to make provision for the development and regulation of Foreign Trade inter alia by augmenting the exports from India. While laying down policy thereafter, the Central Government; however has been empowered to make provision for prohibiting, restricting or otherwise regulating the export and import of goods. In U.P. Co-operative Cane Unions Federations Vs. West U.P. Sugar Mills Association and Others etc. etc., , while interpreting the terms "regulate" and "prohibit", the Hon"ble Supreme Court has held "but, ordinarily the word "regulate" would mean to control or to adjust by rule or to subject to governing principles whereas the word "prohibit" would mean to forbid by authority or command. The expressions "regulate" and prohibit" inhere in them elements of restrictions, but it varies in degree". From this authoritative pronouncement of the Hon"ble Supreme Court, it is now beyond any doubt that the Central Government is empowered to regulate the market by imposing appropriate restrictions in respect of imports and exports. The Impugned Notification restricting the import has been issued in exercise of the power conferred on the Central Government by the Act. The competency of the Government to issue the said Notification to regulate the import of betel nuts is not under challenge in these writ petitions.

16. To have control over the import of betel nuts, of course, it is true that the Government has many weapons in its arsenal such as power to impose import

duty and anti dumping duty. It is also true that the Government has imposed such duties so as to avoid unhealthy competition between the importers and the domestic producers. But, any such tariff to be imposed shall be subject to the restrictions agreed upon under the general agreement on trade and Tariff with member countries of WTO and the other trade agreements with friendly nations. Therefore, the Government is not free to impose any amount of tariff, so as to maintain parity in the sale price of domestic products and the imported goods. Despite all these measures taken, according to the Government, the import as well as the cost of imported betel nuts could not be controlled. Therefore, the Government would have thought it necessary to impose one more restriction in respect of import, by restricting the same through a single port viz., Mangalore Port.

17. Now, the next question is whether such restriction of import of betel nuts through Mangalore Port alone would achieve the object. As pointed out by the learned Assistant Solicitor General of India, if betel nut is allowed to be imported through the ports in East Cost, there will be flurry of activities importing huge quantities of betel nuts at low cost as well as marketing the same near the East Cost. To protect the interest of the local producers, it is imperative that marketing activities should be dense near the geographical location where production activities are concentrated. Then only, the imported betel nuts would be kept for marketing in the same market where the local produce is brought for marketing. For so bringing the imported goods, the importers may have to incur additional expenditure. In the words of the Hon'ble Supreme Court "the mere fact that it would hurt the business interests of a party, does not justify invalidating the policy" [See 2001 (3) SCC 635]. On the other hand, in the instant case, if import is allowed through ports in East Cost, then imported goods would be marketed only near the East Cost at a low cost. Naturally the local traders and the consumers would be attracted only towards East Cost. As a result, the marketing activities in Kerala and Karnataka would be put to peril forcing the producers to transport their produces by incurring additional freight charge to the markets near the east cost which would not be in the interest of the country's economy. Consequently, there will be two markets, one at West Cost where local products would be kept for marketing at a higher cost, whereas there will be another market at the East Cost with low cost. By the time, when the local produce reaches the East Cost, the cost would be uncomparably higher and so, it cannot compete with the imported goods. Instead, if the import is restricted only through Mangalore Port, the importers have to necessarily incur additional freight charges and as a result, they would be impelled to keep the sale price more or less in par with the local produces.

18. The interest of the domestic producers and the workmen employed in the Industry is paramount for the Government. The strategic increase of freight cost would surely generate competition between the home producers and the imported betel nuts so as to eliminate the monopoly of low cost imported betel nuts. This will ultimately protect the interest of the home producers. Thus, the

object behind the Notification falls within the four corners of the Foreign Trade Policy 2004 - 2009 and the Act. The object of the Act would surely be achieved by allowing import only through the Mangalore Port. Thus, having a overall view of the entire scenario, I find that the impugned notification squarely falls within the constitutional norms.

19. When a similar Notification restricting import of natural rubber only through the ports of Kolkatta and Vishakhapatnam vide Notification No. 41 (RE-2001)/1997-2002 dated December 19, 2001 was challenged before the Bombay High Court on similar grounds, while upholding the constitutionality of the said Notification, speaking for the Division Bench, Hon''ble Mr. Justice A.P. Shah (as he then was), has held as follows:

14. The Notifications impugned in the present petition are based on the policy decision of the Government and the said policy decision is taken in public interest in exercise of the FTDR Act and the Rubber Act, to regulate (a) the number of ports through which natural rubber may be imported into India and (b) the quality standards of imports of natural rubber into India. The purpose of these restrictions is to enable the Government to take steps in time to ensure that small growers are not driven out of business and that no damage is caused to the domestic rubber industry from imports of sub-standard natural rubber at cheap or predatory prices. Obviously the decision to monitor and test imports of rubber would fall in the realm of economic policy....

15. In a recent decision in the case of Union of India (UOI) and Another Vs. International Trading Co. and Another, , the Supreme Court held that reasonableness of restriction is to be determined in an objective manner and from the standpoint of interests of the general public and not from the standpoint of the interests of persons upon whom the restrictions have been imposed or upon abstract consideration. A restriction cannot be said to be unreasonable merely because in a given case, it operates harshly. In determining whether there is any unfairness involved; the nature of the right alleged to have been infringed, the underlying purpose of the restriction imposed, the extent and urgency of the evil sought to be remedied thereby, the disproportion of the imposition, the prevailing condition at the relevant time, enter into judicial verdict. (See also LaLa Hari Chand Sarda Vs. Mizo District Council and Another, ; Krishnan Kakkanth Vs. Government of Kerala and ohters, . Applying these principles we are unable to hold that the Notifications are arbitrary or unreasonable.

16. In the result, for the forgoing discussion, we find absolutely no merits in the challenge raised by the petitioners to the Notification dated December 12,2001 and the Notification dated December 19,2001. The Notifications are legal and valid and based upon the policy framed by the Central Government.

The view taken by the Division Bench of Bombay High Court squarely applies to the facts of the present case.

20. A similar Notification restricting import of palm oil through ports in Kerala came to be challenged before the Kerala High Court, on similar grounds in *Parison Foods (P) Ltd. v. Union of India* reported in CDJ 2008 Ker HC 216. A learned Single Judge of Kerala High Court, after having analysed the provisions of the Act as well as the Trade Policy 2004 - 09 has upheld the Notification. While doing so, the learned Judge has held as follows:

...Hence, the power to regulate could extend to the authority to prohibit. Therefore, the existence of the power with the DGFT to issue the Notifications in hand is sustained....

In another place in the same judgment, the learned Single Judge has held as follows:

...Even if this Court assumes, in its wisdom, that having banned palm oil, the materials on record disclose that it was necessary that import of coconut oil is also banned, it would not be within the domain and province of this Court to embark upon coining an economic policy in that regard and directing the executive to enforce such policy. But the fact remains that the maker of Ext.R.1(a) recommendation, namely, the Chairman of the CDB, going by Ext.P.5 document is clearly demonstrated to have had sufficient material within her command to make the recommendation contained in Ext.R.1(a) which is one of the specific materials relied on by the DGFT and the Central Government in bringing out the impugned Notifications. Therefore, the policy under consideration is shown to have been drawn on the basis of materials which, are relevant. The challenge on that ground also fails.....

...The cry of the farmers, as is expressed in W.P.(C).35648/2007, is insufficient for the judiciary to compel the Central Government and the DGFT to accept the recommendations of the CDB in toto and impose a ban on import of palm oil through the ports of Chennai, Mangalore, Tuticorin. This again is a policy matter. Drawing up an economic policy, as already noticed, may, in certain situations, also depend upon various factors, the political policies, the foreign policies, the bilateral agreements and covenants between India and her reciprocal countries etc. It would be beyond the bounds of judiciary to step in and issue directions as are sought for in W.P.(C).35648/2007.

21. I am in respectful agreement with the view taken by the learned Single Judge of the Kerala High Court. In the said Judgment, the learned Single Judge of Kerala High Court had an occasion to deal with the decision of a Division Bench of Calcutta High Court in *Kalindi Woollen Mills (P) Ltd. Vs. Union of India (UOI)*, . Before the said Division Bench of Calcutta High Court, a similar Notification restricting import of rags, both Woollen and Synthetic, only through Bombay and Delhi ports came to be challenged. Of course, in the said judgment, the Division Bench has struck down the Notification holding that it is violative of Articles 14 and 19(1)(g) of the Constitution of India.

22. Placing heavy reliance on the said Judgment, the learned Counsel for the

petitioners would submit that by having a similar view, if the facts involved in the present writ petitions are considered, the Impugned Notification would also face the same fate. But, I am not persuaded to agree with the said argument since the facts are totally distinguishable. In that case, the import of woollen rags were restricted to, through Bombay and Delhi ports only on the ground that there was no proper facility in the other ports to have surveillance of the goods being imported. Taking the view that it is for the Government to provide such facilities in other ports also, the Division Bench held that for the reason that there are no sufficient facilities in other ports, the importers cannot be made to suffer to carry goods to distant places by importing only through Bombay and Delhi ports. The Division Bench also took the view that such import only through these ports would put the importers near these ports in an advantageous position, thereby pushing the other traders to the backseat, so as to impel them to suffer hostile discrimination. But, in our case, the Impugned Notification has not been issued for any such reason. Here the major concern of the Government was the welfare of the domestic producers of betel nuts and the workers employed in the cultivation. As I have already held, to have a sustained and steady economic growth, it is always desirable to concentrate on the interest of the domestic producers. Having that laudable object in mind only the Government has issued the Impugned Notification. The said Notification does not put any trader in an advantageous position than the petitioners, as it is contended by the petitioners.

23. Because of the freight charge, one has to necessarily sell the imported goods at a higher rate which would be either par with the rate of the domestic goods or more. This object cannot be stated to be an unreasonable restriction on the right of trade guaranteed under Article 19 of the Constitution of India. The Government has to strike a balance between the traders and the producers. The producers can never be allowed to be the neglected lots of this country. Their interest is more vital. When lakhs of people are involved in domestic production of betel nuts, for any reason, because of the lack of due concern of the Government, if the cultivation of betel nuts in Karnataka and Kerala states is reduced considerably, that will lead to far reaching consequences, thereby rendering these poor workers involved in the industry deprived of their employment. Therefore, having regard to the interest of the workers involved in the domestic production, the interest of the domestic producers and having regard to the economy of the country, the Government has rightly issued the Notification. Therefore, the view taken by the Division Bench of Calcutta High Court has got no application at all, as the facts are totally distinguishable.

24. When the very same Notification, which was challenged before the Division Bench of Calcutta High Court came to be challenged before the Principal Bench of this Court in *B.L. Tandon v. Union of India*, a learned Single Judge of this Court in W.P. No. 2167 of 1990 dated 25.04.1990 struck down the Notification. The Division Bench of Calcutta High Court had an occasion to refer to the said Judgment of the Madras High Court while deciding *Kalindi woollen Mill's case*, cited *supra*. I have the benefit of going through the unreported judgment of the

learned Single Judge of this Court in the above writ petition. The learned Judge has taken the view that the Notification violates Article 14, 19(1)(g) and 301 of the Constitution of India mainly on the ground that the reasons stated for restriction that the ports other than Delhi and Bombay do not have the surveillance was not acceptable. The learned Judge has rightly held that Madras port is considered to be one of the ancient and well equipped ports. When that is so, treating the Madras port and the similar ports of this country as secondary ports, thereby projecting the Bombay and Delhi ports alone as fully equipped ports was deprecated by the learned Single Judge. The learned Judge has further held that if any such facility is not already available in Madras Port, it is for the Government to provide such facilities so as to have surveillance of the import. In respect of the said view taken by the learned Judge, I am fully in respectful agreement. But, that view cannot be made applicable to the Impugned Notification for the reasons which I have already stated.

25. Yet another reason for imposing restrictions as stated in the counter is to stop illegal import of betel nuts into India. But, this reason cannot be countenanced. The Government has got all manual and technological resources to keep constant vigil so as to curtail the smuggling activities. For that purpose, restriction of import only through a single port cannot be justified. In the cases cited supra, the Calcutta High Court and this Court have discountenanced the said reason and have struck down the Notification. So, I do not approve the said reason. However, on this ground, the notification cannot be struck down.

26. In view of the foregoing discussions, I do not find any difficulty to safely conclude that there is no violence caused to the right of the petitioners and similarly placed traders guaranteed under Articles 14, 19(1)(g) and 301 of the Constitution of India. The Impugned Notification is intra vires the Constitution of India which does not require any interference.

27. In the result, all the Writ Petitions fail and accordingly, they are dismissed. No costs. Consequently, the interim orders already passed shall stand automatically vacated and all the connected Miscellaneous Petitions are also dismissed.