

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 14.07.2016

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.9772 of 2012

M/s Caravel Logistics Pvt. Ltd.,
(Formerly known as Caravel Shipping
Service Pvt.Ltd.,)
rep. by its Lines Manager
Mr.K.M.Ravi Varma
Chennai.

... Petitioner

Vs

1. The Additional Commissioner of Customs (MCD)
Customs House,
No.60, Rajaji Salai,
Chennai 600 001.

2. The Assistant Commissioner of Customs (MCD)
Customs House,
No.60, Rajaji Salai,
Chennai 600 001.

... Respondents

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned Detention Notice dated 22.03.2012, of the second respondent passed in F.No.S.MISC.03/2010-MCD and quash the same and further direct the second respondent to release the 40 containers belonging to the petitioner Company which are subject matter of the Order-in- Original No.13347/2010-MCD dated 29.10.2010, passed by the respondent.

For Petitioner : Mr.Hari Radhakrishnan

For Respondents : Mr.V.Sundareswaran
Senior Standing Counsel

O R D E R

Heard Mr.Hari Radhakrishnan, learned Counsel appearing for the petitioner and Mr.V.Sundareswaran, learned Senior Standing Counsel appearing on behalf of the respondents and with the consent of learned counsel appearing on either side, the Writ Petition is taken up for final disposal.

2.The petitioner has filed this Writ Petition, challenging the Detention Notice issued under section 142 (1) (b) of the Customs Act, 1962, on the ground that the petitioner has to pay the balance amount of Rs.24,00,000/-, as penalty.

3.The learned counsel for the petitioner submits that as the challenge made by the petitioner to the other proceedings have all ended against the petitioner, the petitioner has paid the amount in full and copies of those challans have been produced.

4.The learned counsel for the respondents has no instructions in the matter, but submits that the contention raised by the petitioner has to be verified.

5.In the light of the above facts, the Writ Petition is disposed of by directing the second respondent to issue notice to the petitioner to appear in person, verify all the facts and if the entire amount has already been paid by the petitioner, then the second respondent shall proceed in accordance with law. No costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

Rpa

To

1. The Additional Commissioner of Customs (MCD)
Customs House,
No.60, Rajaji Salai,
Chennai 600 001.
2. The Assistant Commissioner of Customs (MCD)
Customs House,
No.60, Rajaji Salai,
Chennai 600 001.

+1cc to Mr.Hari Radhakrishnan, Advocate, S.R.No.39693
+1cc to Mr.V.Sundareswaran, Advocate, S.R.No.40155

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NRJK (CO)
CA/01/08/2016)

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