

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 21.09.2016
Coram

THE HON'BLE MR.JUSTICE T.S.SIVAGNANAM

Writ Petition No.21797 of 2016
and
W.M.P.Nos.18642 and 18643 of 2016

M/s. J.K.Exim
rep. by its Proprietor,
Shri. Kalpesh B.Patel.

...Petitioner

Vs.

1. The Principal Commissioner of Customs
Chennai III Commissionerate,
Customs House, No.60, Rajaji Salai,
Chennai - 600 001.
2. The Deputy Commissioner of Customs (SIIB)
Customs House, No.60, Rajaji Salai,
Chennai - 600 001.
3. The Inspector (Prev - SIIB)
Customs House, No.60, Rajaji Salai,
Chennai - 600 001.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India, for issuance of Writ of Certiorari to call for records, pertaining to the impugned seizure Mahazar, dated 11.02.2016, issued by the third respondent and quash the same.

For Petitioner : Mr.Hari Radhakrishnan

For Respondents : Mr.A.P.Srinivas
Senior Standing Counsel

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O R D E R

Heard Mr.Hari Radhakrishnan, learned counsel appearing for the petitioner, and Mr.A.P.Srinivas, learned Senior Standing Counsel, for respondents.

2. In this Writ Petition, though the petitioner challenges the seizure Mahazar, dated 11.02.2016, issued by the third respondent, subsequently, on instructions from the client/petitioner, would submit that the petitioner does not

propose to challenge the mahazar, and would agree to certain contentions, so that the goods can be exported, as show cause notice, dated 05.08.2016, has been issued.

3. As rightly pointed out by the learned Senior Standing counsel appearing for the respondents the prayer sought for in this Writ Petition is slightly different, and if the petitioner seeks for any direction for exportation of the goods, he should file separate Writ Petition.

4. Accordingly, the challenge to the seizure mahazar is held to be not maintainable, and this Writ Petition is closed, granting liberty to the petitioner to file fresh Writ Petition seeking for appropriate direction for exportation of the goods. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

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To

1. The Principal Commissioner of Customs
Chennai III Commissionerate,
Customs House, No.60, Rajaji Salai,
Chennai - 600 001.
2. The Deputy Commissioner of Customs (SIIB)
Customs House, No.60, Rajaji Salai,
Chennai - 600 001.
3. The Inspector (Prev - SIIB)
Customs House, No.60, Rajaji Salai,
Chennai - 600 001.

+1cc to M/s. Hari Radhakrishnan, Advocate, S.R.No.53878
+1cc to M/s. A.P. Srinivas, Advocate, S.R.No.54073

PSK(CO)
EU(1/11/2016)

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