

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.08.2016

CORAM

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

W.P.No.28124 of 2016
& WMP No.24262 of 2016

M/s. DURGA TRADE LINK,
Rep., by its Proprietor, Mr. Dinesh Kumar,
No.27 Strotten Muthiya Mudali Street,
3rd Floor, Sowcarpet,
Chennai - 600 079

.. Petitioner

Vs.

1. The Commissioner of Customs (Group 7H),
Custom House No.60, Rajaji Salai,
Chennai - 600 001
2. The Joint / Additional Commissioner
of Customs (Group 7H),
Custom House, No.60 Rajaji Salai,
Chennai 600 001
3. The Deputy Commissioner of Customs
(IPR-CELL & SIIB),
Custom House, No.60 Rajaji Salai,
Chennai - 600 001

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus, directing the respondents herein to release the goods, viz., 179 cartons of Glass Beads, 16 Bundles of Small Garments and totally 222 cartons of cotton shoes, 102 cartons of Toy Baby Chair, 50g cartons of Toy Ball, 50 cartons of Broom Sticks, imported vide Bill of Entry No.4914937, dated 15.04.2016, after collecting appropriate and proportionate duty for the total / entire quantity of the goods imported under the Customs Act.

For Petitioner : Mr. A.K.Jayaraj
For Respondents: Mr. Rajkumar Jhabakh, SPC.,

O R D E R

Heard Mr.A.K.Jayaraj, learned counsel for the petitioner and Mr.Rajkumar Jhabakh, learned Senior Panel Counsel, appearing for the respondent.

2. The learned counsel for the petitioner submits that the petitioner may be permitted to withdraw this writ petition, with liberty to file a separate writ petition,

seeking for the release of goods, covered under the Bill of Entry No.4914937, dated 15.04.2016, except with regard to the item 'Cotton Shoes'. The said liberty is sought for on the ground that an objection has been raised by the branded manufacturers, with regard to the import of 'Cotton Shoes'.

3. Heard the learned Senior Panel Counsel appearing for the respondents, on the aforesaid submissions.

4. In the light of the same, this writ petition is dismissed as withdrawn, with liberty, as aforesaid. No costs. Consequently, the connected WMP is closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

srk

To

1. The Commissioner of Customs (Group 7H),
Custom House No.60, Rajaji Salai,
Chennai - 600 001.
2. The Joint / Additional Commissioner of Customs (Group 7H),
Custom House, No.60 Rajaji Salai,
Chennai 600 001.
3. The Deputy Commissioner of Customs (IPR-CELL & SIIB),
Custom House, No.60 Rajaji Salai,
Chennai - 600 001

+lcc to Mr.Raj Jhabakh, , Advocate, S.R.No.46044
+lcc to Mr.A.K. Jayaraj, Advocate, S.R.No.46144

SR(CO)
EU(26/08/2016)

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