

In the High Court of Judicature at Madras

Dated : 23.9.2016

Coram :

The Honourable Mr.Justice T.S.SIVAGNANAM

Writ Petition No.32465 of 2016 & WMP.No.28164 of 2016

M/s.GEM IMPEX, rep.by its
Proprietor Mr.Mangalram

...Petitioner

Vs

1.Commissioner of Customs IV,
Group 7H, Custom House,
No.60, Rajaji Salai, Chennai-1.

2.The Joint/Additional Commissioner
of Customs (Group 7H), Custom
House, No.60, Rajaji Salai,
Chennai-1.

3.The Senior Intelligence Officer,
Directorate of Revenue Intelligence,
Chennai-17.

...Respondents

PETITION under Article 226 of The Constitution of India praying for the issuance of Writs of Mandamus directing the respondents herein to release the goods viz., 342 cartons of different plastic gift articles, imported vide Bill of Entry No.6463090 dated 23.8.2016, which was finally assessed by the Proper Officer under the Customs Act and total duty of Rs.1,67,467/- was also paid on 24.8.2016.

For Petitioner :	Mr.A.K.Jayaraj
For Respondents 1 & 2 :	Mrs.R.Hemalatha
For Respondent-3 :	Mr.V.Sundareswaran

(2)

ORDER

Heard both.

2. In the counter affidavit filed by the third respondent, in paragraph 5, the following stand has been taken :

"However, in the course of examination, no concealment was found and as such, no case was booked against the petitioner herein. Vide letter dated 20.9.2016 (copy enclosed), the respondent No.3 herein has intimated the Deputy Commissioner (Docks) of the respondents 1 and 2 herein the result of the examination of the said cargo container and stated that respondent-3 has no objection in the release of the said cargo to the bona fide importer, provided the same is otherwise found in order in compliance with the provisions of Customs Act, 1962."

3. In view of the same, the writ petition is disposed of with a direction to the respondents to release the cargo in question within a period of two weeks from today.

23.9.2016

Internet : Yes

To

- 1.The Commissioner of Customs IV, Group 7H, Custom House, No.60, Rajaji Salai, Chennai-1.
- 2.The Joint/Additional Commissioner of Customs (Group 7H), Custom House, No.60, Rajaji Salai, Chennai-1.
- 3.The Senior Intelligence Officer, Directorate of Revenue Intelligence, Chennai-17.

T.S.SIVAGNANAM,J

RS

WP.No.32465 of 2016 &
WMP.No.28164 of 2016

23.9.2016