

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 08.11.2016

CORAM

THE HONOURABLE Mr.JUSTICE T.S.SIVAGNANAM

WP.No.35075 of 2016

M/s.Sowparnika Agro Private Limited,
Rep. by its Managing Director,
M.R.Kumaraswamy .. Petitioner

Vs

The Deputy Commissioner of Customs [Group 2],
Chennai II Commissionerate,
Custom House,
No.60, Rajaji Salai,
Chennai-1. .. Respondent

Writ Petition filed under Article 226 of the Constitution of India praying for a Writ of Mandamus to direct the respondent to finally assess the bill of entry Nos.4756792 dt 27.9.2011 and 3003897 dt 21.10.2015 based on the reports dated 9.3.2016 and 18.4.2016 issued by the University of Agricultural Sciences, Bangalore and to thereafter, release the bonds and bank guarantees executed by the petitioner in respect of the goods covered by these bills of entry within a reasonable time frame.

For Petitioner : Mr.Hari Radhakrishnan
For Respondent : Mr.T.Pramod Kumar Chopda
Senior Panel Counsel

सत्यमेव जयते
O R D E R

Heard Mr.Hari Radhakrishnan, learned counsel for the petitioner and Mr.T.Pramod Kumar Chopda, learned Senior Standing Counsel for the respondent.

2. The petitioner seeks for issuance of writ of mandamus to direct the respondent to finally assess the Bill of Entry Nos.475672 dated 27.9.2011 and 3003897 dated 21.10.2015, based on the reports dated 9.3.2016 and 18.4.2016 issued by the University of Agricultural Sciences, Bangalore and to release the Bonds and Bank Guarantees executed by the petitioner in respect of the goods covered by these bills of entry.

3. Learned Senior Standing Counsel appearing for the respondent has produced written instruction from the respondent, from which, it is seen that the Bill of Entries have been finally assessed, based on the test report received from the University of Agricultural Sciences, Bangalore. With regard to the Bonds and Bank Guarantees executed by the petitioner, it is stated that the same will be released accordingly.

4. Since no time limit has been fixed for releasing the Bonds and Bank Guarantees, this Court is inclined to fix a time limit. Accordingly, while recording the stand taken by the learned Senior Standing Counsel, there will be a direction to the respondent to release the Bonds and Bank Guarantees and intimate the petitioner's banker accordingly, within a period of four weeks from the date of receipt of a copy of the order.

With the above direction, the Writ Petition is disposed of.

Sd/-

Assistant Registrar (CS II)

//True Copy//

Sub Assistant Registrar

gya

To

The Deputy Commissioner of Customs [Group 2],
Chennai II Commissionerate,
Custom House, No.60, Rajaji Salai,
Chennai-1.

+1cc to Mr.hari Radhakrishnan, Advocate Sr.64143

+1cc to Mr.T.Pramodkumar Chopda, Advocate Sr.64213

sr[co]

srg 07/12/2016

WP.No.35075 of 2016