

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.06.2017

CORAM

THE HON'BLE Mr. JUSTICE K.RAVICHANDRABAABU

W.P.Nos.14750 of 2017

and

W.M.P.Nos.15979 & 15980 of 2017

M/s. YVN Traders

Rep. by its Proprietor

Shri Y.V.Nagaraj

No.56, G-2, Sterling Dwarakamaye

Apartments, Giri Road

T.Nagar, Chennai-600 017.

.... Petitioner

Vs.

1. Commissioner of Customs
Chennai-II Commissionerate
Custom House
No.60, Rajaji Salai
Chennai-600 001.

2. Joint Commissioner of Customs, Group 3
O/o Commissioner of Customs-II
Custom House
No.60, Rajaji Salai
Chennai-600 001.

3. Assistant Commissioner of Customs, Group 3
O/o Commissioner of Customs-II,
Customs House, No.60, Rajaji Salai,
Chennai-600 001.

... Respondents

This writ petition are filed under Article 226 of the Constitution of India, to issue a writ of Mandamus, directing the respondents to cause release of the goods i.e. 'Men's shoes (unbranded) imported under Bill of Entry No.9773478 dated 20.05.2017 and issue appropriate detention certificate with respect to the said goods on such terms and conditions as may be deemed fit and proper by this Honourable Court.

For Petitioner

: Mr.B.Satish Sundar

For Respondents

: Mrs.Hema Muralikrishnan
Standing Counsel

O R D E R

The petitioner seeks for a mandamus directing the respondents to release the goods, namely, 'Men's shoes (unbranded) imported under Bill of Entry No.9773478 dated 20.05.2017 and issue appropriate detention certificate with respect to the said goods.

2. Heard both sides.

3. According to the petitioner, the subject matter, bill of entry was already assessed and the petitioner has also paid the relevant duty. Therefore, it is contended that there is no impediment for the respondents to release the goods which are imported under the above said Bill of entry. As the goods were not released, the petitioner made a representation to the 1st respondent on 30.05.2017. It is stated that the said representation received by the 1st respondent on 02.06.2017, is still pending and not considered so far.

4. Learned counsel appearing for the respondents submitted that the first respondent will consider the said representation and pass appropriate orders within a short time.

5. Considering the above stated facts and circumstances and the submissions made by the learned counsel appearing on either side, the first respondent is directed to consider the representation of the petitioner dated 30.05.2017 and pass appropriate orders on the same on merits and in accordance with law within a period of seven days from the date of receipt of a copy of this order. The writ petition is disposed of, accordingly. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

सत्यमेव जयते
Assistant Registrar

//True Copy//

Sub Assistant Registrar

vsi/mm

To

1. Commissioner of Customs
Chennai-II Commissionerate
Custom House
No.60, Rajaji Salai
Chennai-600 001.

2. Joint Commissioner of Customs, Group 3
O/o Commissioner of Customs-II
Custom House
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Chennai-600 001.

3. Assistant Commissioner of Customs, Group 3
O/o Commissioner of Customs-II,
Customs House, No.60, Rajaji Salai,
Chennai-600 001.

+1cc to Mr.B.Sathish Sundar, Advocate, S.R.No.43940

+1cc to Ms.Hema murali Krishnan, Advocate, S.R.No.44331

W.P.Nos.14750 of 2017
and

W.M.P.Nos.15979 & 15980 of 2017

RJ (CO)
RS (28/06/2017)

सत्यमेव जयते

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