

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.06.2017

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

Writ Petition No.15563 of 2017
and
W.M.P.No.16869 of 2017

M/s. Sherisha Technologies Pvt., Ltd.,
Rep. by its Authorized Signatory,
No.67, Bazullah Road,
T. Nagar,
Chennai - 600 017. Petitioner

Vs.

1. The Chief Commissioner of Customs,
Customs House,
No.60, Rajaji Salai,
Chennai - 600 001.
2. The Additional Commissioner of Customs,
Group -II,
No.60, Rajaji Salai,
Chennai - 600 001.
3. The Deputy Commissioner of Customs,
Group -II,
Customs House,
No.60, Rajaji Salai,
Chennai - 600 001.

... Respondents

Prayer:

Writ petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, directing the 3rd respondent to consider the representation of the petitioner dated 05.05.2017 in an expeditious manner and pass appropriate orders thereon.

For Petitioner : Mr.Vijay Narayanan,
Senior Counsel for
Mr.Velayutham Pichaiya

For Respondents : Mr.N.Senthil Kumar
Standing Counsel

O R D E R

Mr.N.Senthil Kumar, learned Standing Counsel takes notice on behalf of the respondents. By consent of the parties, the main writ petition itself is taken up for final disposal at the admission stage itself.

2. The petitioner seeks for a Mandamus, directing the third respondent to consider the representation of the petitioner dated 05.05.2017, wherein and whereby, the petitioner sought for waiver of demurrage during the detention period of the goods.

3. Heard Mr.Vijay Narayanan, learned Senior Counsel appearing for the petitioner and Mr.N.Senthil Kumar, learned Standing Counsel appearing for the respondents.

4. The grievance of the petitioner before this Court is that the full waiver of demurrage for the consignment under the Bill Entry Nos. 8088486, 8082686, 8083074 & 8082580, dated 23.01.2015 was not granted, even though the petitioner is entitled for the same. This Court, at this stage, is not expressing any view on the claim made by the petitioner, as it is for the respondents, more particularly the third respondent to consider and decide on such claim. As the present writ petition is filed with limited prayer seeking for the disposal of the representation dated 05.05.2017 by the third respondent, without expressing any view on the merits of the matter, this writ petition is disposed of, only with a direction to the third respondent to consider the said representation of the petitioner and pass orders on the same on its own merits and in accordance with law, after hearing the petitioner as well, within a period of three weeks from the date of receipt of a copy of this order. No costs. Connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

mk/ms

To

1.The Chief Commissioner of Customs,
Customs House,
No.60, Rajaji Salai,
Chennai - 600 001.

2.The Additional Commissioner of Customs,
Group -II,
No.60, Rajaji Salai,
Chennai - 600 001.

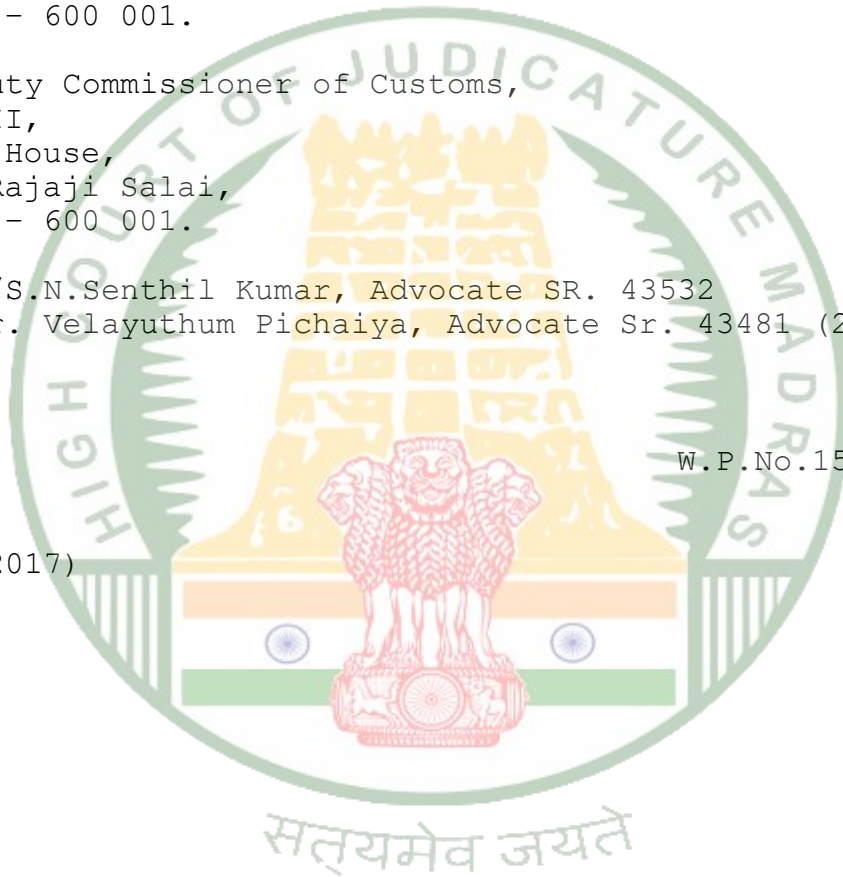
3.The Deputy Commissioner of Customs,
Group -II,
Customs House,
No.60, Rajaji Salai,
Chennai - 600 001.

+1cc to M/S.N.Senthil Kumar, Advocate SR. 43532

+1cc to Mr. Velayuthum Pichaiya, Advocate Sr. 43481 (28/06/2017)

W.P.No.15563 of 2017

MP (CO)
VR(22/06/2017)



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