

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated :13.07.2017

Coram

The Hon'ble Mr.Justice T.S.Sivagnanam

Writ Petition No.30263 of 2004

M/s. Pushpa Silk,
Swastik Manandi Arcade F.7,
401/2, S.C.Road,
Seshadripuram,
Bangalore - 5630 020,
Rep. by its Sole Proprietor,
Mr.Sanjiv Kumar Jhun Jhun WalaPetitioner

Vs

1. The Commissioner of Customs (Port Imports)
Port, Customs House, Chennai - 1.
2. The Assistant Commissioner of Customs
Group 3 and 4 ,
Customs House, Chennai - 1.Respondents

Writ Petition, filed under Article 226 of the Constitution of India, for issuance of Writ of Mandamus, directing the respondents to assess and release the goods covered by Bill of Entry, No.686514 and 686515, dated 20.09.2004, in terms of the contract No.IE/PS-SF038/03, dated 10.07.2003, as amended and public notice no.378/2001, dated 27.12.2001, on the declared invoice price.

For Petitioner : M/s.Nivedita R Mehta
for M/s.L.Maithili Associates
For Respondents : Dr.S.Seethalakshmi
Standing Counsel (Customs)

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O R D E R

Heard Ms.Nivedita R Mehta for M/s.L.Maithili Associates, the learned counsel appearing for the petitioner, and Dr.S.Seethalakshmi, learned Standing Counsel (for Customs) for respondents.

2. The petitioner seeks for issuance of a Writ of Mandamus, directing the respondents to assess and release the

goods covered by Bill of Entry Nos.686514 and 686515, dated 20.09.2004, in terms of the contract No.IE/PS-SF038/03, dated 10.07.2003, as amended and public notice no.378/2001, dated 27.12.2001, on the declared invoice price.

3. It is seen that, at the time, when the Writ Petition was entertained, an order was passed, directing release of the goods subject to certain conditions. Thus, if the petitioner had complied with the conditional order, and the goods have been released, it is open to them to work out their remedies in accordance with law, in the event, the Department has proceeded further in the mater.

4. With the above observation, the Writ Petition is disposed of. No costs.

s/d-
Assistant Registrar(CS.VI)

True Copy

Sub-Assistant Registrar

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To

1. The Commissioner of Customs (Port Imports)
Port, Customs House, Chennai - 1.
2. The Assistant Commissioner of Customs
Group 3 and 4 ,
Customs House, Chennai - 1.

+1 CC to Mr.S. Seethlakshmi, Advocate sr 49273.

सत्यमेव जयते

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RK(CO)
sp(10/08/2017)

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