



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.09.2017

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P.(MD)No.24671 of 2016

WEB COPY

M/s.Zaffcom LLC.,
Post Box No. 64516,
Dubai, U.A.E.,
represented by B.Raman,
Power of Attorney

.. Petitioner

-Vs-

1.Assistant Commissioner of Customs (Imports),
Custom House,
New Harbour Estate,
Tuticorin- 628 004.

2.Al Huda Exports & Imports,
Represented by its Proprietor Z.A.Mohamed,
67/2, Mela Ranganathapuram,
Tuticorin- 628 002.

3.Diamond CFS Park,
5/51A, Senthilampennai,
Keela Thattaparai Road,
Turicorin - 628 103.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the first respondent to consider the petitioner Company's representation, dated 05.10.2016 and subsequently permit them to re-export the goods which are now in the custody of third respondent within a time frame fixed by this Court.

For Petitioner	: Mr.M.Aravind Subramaniam
For R - 1	: Mr.S.Gurumurthy
For R - 2	: Mr.V.Angusamy
For R - 3	: M/S.K.Hema Karthikeyan

O R D E R

The petitioner has come up with the present Writ Petition for issuance of a Writ of Mandamus, directing the first respondent to consider his representation, dated 05.10.2016 and to permit the petitioner to re-export the goods.

<https://hcservices.ecourts.gov.in/hcservices/>

2.The petitioner states that it is a Company engaged in the business of exports and imports of cardamom, betel nuts and spices



to various countries. The second respondent herein, who is engaged in the business of cardmom, had approached the petitioner and placed orders. As per the order placed by the second respondent, the petitioner has consigned the goods of 10 metric tons to the second respondent. Since the second respondent has not cleared the goods, the petitioner approached the first respondent for re-export and also submitted the representation, dated 05.10.2016. Since no action was taken, the petitioner has filed the present Writ Petition.

3.Mr.M.Aravind Subramaniam, learned counsel for the petitioner would submit that the petitioner is ready to pay the necessary charges to the respondents for re-export of the goods, in such event the respondents can not have any objection.

4.The learned counsel for the respondents 1 and 3 would submit that if the charges are paid, the petitioner would be permitted to re-export the goods.

5.In the light of the above fact, the respondents shall permit the petitioner to pay the necessary charges. On payment of the necessary charges to the respondents, the petitioner is permitted to re-export the goods.

6.With the above direction, this Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(Crl side)

/True Copy/

Sub Assistant Registrar

To

1.Assistant Commissioner of Customs (Imports),
Custom House,
New Harbour Estate,
Tuticorin- 628 004.

+1cc to M/S.M.Aravind Subramaniam, Advocate SR.No. 78266
+1cc to M/S.S.Gurumurthy, Advocate SR.No. 78391
+1cc to M/S.K.Hema Karthikeyan, Advocate SR.No. 78379

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das/ps