

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 18.07.2018

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.9738 of 2018

and

W.M.P.No.11663 of 2018

M/s.SP Exims,
Represented by its Propx: Poornima,
Door No.32, Nandavanam Gokul Nagar Road,
Rayakotta Road,
Hosur, Krishnagiri District.

.. Petitioner

Versus

1. The Commissioner of Customs,
Custom House,
Rajaji Salai,
Chennai.
2. The Assistant Commissioner of Customs,
Group 3, Custom House,
Rajaji Salai,
Chennai - 600 001.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus to direct the respondents to permit clearance of the imported goods covered under Bill of Entry B.E.No.5445088 dated 05.03.2018 on payment of assessed customs duty of Rs.9,13,550-00 together with interest amount of Rs.9,761-00 without imposing any fine by waiving off the charges.

For Petitioner : Mr.M.A.Mudi Mannan

For Respondents : Mr.T.Pramod Kumar Chopda
Senior Standing Counsel for CBEC

ORDER

Heard Mr.M.A.Mudi mannann, learned Counsel appearing for the petitioner and Mr.T.Pramod Kumar Chopda, learned Senior Standing Counsel appearing for the respondents.

2. The petitioner seeks for a direction upon the respondents to permit clearance of the imported goods covered

under Bill of Entry B.E.No.5445088 dated 05.03.2018 on payment of assessed customs duty of Rs.9,13,550-00 together with interest amount of Rs.9,761.00 without imposing any fine by waiving off the charges.

3. Pursuant to the interim order granted by this Court on 25.04.2018, the goods have been released. Thus, it would be suffice to direct the respondents to complete the adjudication proceedings.

4. Accordingly, the writ petition is disposed of by directing the respondents to issue show-cause notice to the petitioner within a period of four weeks from the date of receipt of copy of this order and grant sufficient time the petitioner to file their reply and after affording an opportunity of personal hearing to the petitioner, adjudicate the matter on merits and in accordance with law. No costs. Consequently, connected miscellaneous petition is closed.

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Sd/-

Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

To

1. The Commissioner of Customs,
Custom House,
Rajaji Salai,
Chennai.
2. The Assistant Commissioner of Customs,
Group 3, Custom House,
Rajaji Salai,
Chennai - 600 001.

+1cc to Mr.K.Jayachandran, Advocate, S.R.No.48561

+1cc to Mr.T.Pramod Kumar Chopda, Advocate, S.R.No.48140

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W.P.No.9738 of 2018
and
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NM(CO)
GSP(31/07/2018)