



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 20.09.2018

CORAM:

THE HONOURABLE MRS.JUSTICE **J.NISHA BANU**
W.P. (MD)No.19953 of 2018
and
W.M.P. (MD)No.17752 of 2018

Mariappan
power agent of
Charles Jepakumar

: Petitioner

Vs.

1. The Chief Commissioner of Customs,
No.1, Williams Road,
Cantonment,Trichy District.

2. The Commissioner of Customs,
Customs House,
News Harbour Estate,
Tuticorin,
Tuticorin District.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of mandamus, directing the respondents to release the cargo bearing bill lading No.HLCUCHI130530345 and consequently direct the respondents to release and deliver the goods to the petitioner by considering the representation of the petitioner dated 09.06.2017 within a time frame that may be stipulated by this Court.

For Petitioner	: Mr.S.C.Herold Singh
For Respondents	: Mr.D.Muruganantham, Additional Government Pleader

ORDER

The present writ petition has been filed for directing the respondents to release the cargo bearing bill lading No.HLCUCHI130530345 and consequently direct the respondents to release and deliver the goods to the petitioner by considering the representation of the petitioner dated 09.06.2017 within a time frame.

2. On perusal of the records, it is seen that the present writ petitioner has already filed a writ petition before this Court in W.P.(MD).No.5705 of 2014, wherein, this Court, by an order dated 02.12.2014, directed the petitioner to pay the rental and handling charges as on date of release of the cargo to the third respondent. Such an order was passed by consent.



3.The learned counsel appearing for the petitioner, during the course of arguments, would submit that the petitioner did not give his consent. Since a consent order was passed, a complaint was given to the Bar Council against the Lawyer, who appeared earlier and to substantiate the same, no document is placed before this Court.

4.In the course of the argument, the petitioner would pray for withdrawal of the writ petition.

5.If at all the petitioner is aggrieved by the order passed in the earlier writ petition, he had only to file a review petition, not by way of another writ petition, which is an abuse of process of the Court.

6.In view of the above, this writ petition is dismissed. Consequently, connected miscellaneous petition is closed. No costs.

Sd/-

Assistant Registrar(CS-III)

/True Copy/

Sub Assistant Registrar(CS-IV)

To

1. The Chief Commissioner of Customs,
No.1, Williams Road,
Cantonment,Trichy District.

2. The Commissioner of Customs,
Customs House,
News Harbour Estate,
Tuticorin, Tuticorin District.

+1cc to Mr.S.C.Herold Singh, Advocate Sr.No.85731

VS

VB/SKN/SAR4/02.11.2018/2P/4C

Order made in
W.P. (MD) No.19953 of 2018
20.09.2018