

IN THE HIGH COURT OF JUDICATURE OF MADRAS

DATED: 27.03.2019

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

WP.No.38529 of 2003

Chakiat Agencies,
Rep. by its Partner,
Mr.P.Shankar Menon,
1st Floor, No.44-45, Rajaji Salai,
Chennai - 600001.

...Petitioner

Vs

The Commissioner of Customs (Seaport)
Customs House,
Rajaji Salai,
Chennai - 600001.

...Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to pass an order of Writ of Certiorari calling for the records of the respondent ending with its order in F.No.406/CHA dated 26.12.2003 and quash the same.

For Petitioner : Mr.N.Ramkumar
for M/s.Ilias Ali

For Respondent : Mr.K.Magesh, JSC

O R D E R

The petitioner's CHA Licence at Bangalore was suspended under Regulation 21(2) of the Custom House Agents Licensing Regulation 1984 by the Commissioner of Customs, Bangalore, pending further action under Regulation 23 ibid. In pursuance to the suspension of Licence by the Commissioner of Customs, Bangalore, the respondent herein had suspended the petitioner's CHA Licence No.R-406/CHA, through an order dated 26.12.2003.

2. Today, when the writ petition was taken up for hearing, the learned counsel for the petitioner produced an order-in-original dated 12.08.2005, whereby, it is seen that the suspension of the petitioner's Licence by the Commissioner of Customs, Bangalore was revoked. Since the present impugned order is based on the suspension of petitioner's Licence by the Commissioner of Customs, Bangalore and in view of the present

development whereby the proceedings have been dropped, the cause of action for which the impugned order in the present writ petition came to be made, has become infructuous. Accordingly, the order suspending the Licence cannot be sustained.

3. Hence, the writ petition stands allowed. Consequently, the order of suspension passed by the respondent in F.No.R-406/CHA dated 26.12.2003, is quashed. No costs.

Sd/-

Assistant Registrar (CS-VIII)

//True Copy//

Sub Assistant Registrar

hvk

To

The Commissioner of Customs (Seaport)
Customs House,
Rajaji Salai,
Chennai - 600001.

+1cc to Mr.Santhosh Ukkur, Advocate, S.R.No. 28968

+1cc to Mr.K.Magesh, Advocate, S.R.No. 29986

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RJI (CO)
GN(07/05/2019)

सत्यमेव जयते

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