

IN THE HIGH COURT OF JUDICATURE OF MADRAS

DATED: 24.07.2019

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.39372 of 2004
and
W.M.P.No.46943 of 2004

M/s.I-Assets Ventures Sdn. Bhd.,
Rep. by its Power of Attorney,
Mr.N.Selvam,
S/o.S.Nagarajan,
No.32, T.H.Road, 3rd Lane,
Tondiarpet, Chennai - 600081.Petitioner

Vs

1. The Directorate of Revenue Intelligence,
Chennai.
2. The Additional Commissioner of Customs,
(SIIB), Air Cargo Complex,
Meenambakkam,
Chennai - 600027.
3. M/s.Zum Zum Enterprises,
Rep. by its Proprietor Mr.Abu Thalif,
84-D, T.H.Road, Kaladipet,
Chennai - 600019.
4. The Commissioner of Customs,
Customs House, Chennai - 600001.Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus, directing the respondents to forth with release the goods in bill of entry No.464574 dated 19.10.2002 and hand over the same to the petitioner, if available with them.

For Petitioner : Mr.M.Venkatesh

For Respondents: Mr.V.Sundareswaran, SSC
for R1, R2 & R4

No Appearance
for R3

O R D E R

The limited prayer sought for in the present writ petition is for an issuance of writ of Mandamus, directing the respondents to release the goods in bill of entry No.464574 dated 19.10.2002.

2. The grievance of the petitioner is that though they had given a representation seeking for release, it was not considered in time, which necessitated the petitioner to file the present writ petition.

3. The decision to release the goods or not is within the powers of the respondents herein and this Court may not be justified in stepping into the shoes of the respondents. Nevertheless, if the petitioner is granted liberty to approach the respondents seeking for release of goods with a direction to the respondents to consider the same, on its own merits, the ends of justice would be secured.

4. In the light of the above observations, if at all the petitioner is of the view that his grievance still subsists, liberty is granted to him to make a fresh representation to the concerned respondent, within a period of 30 days from the date of receipt of copy of this order. On receipt of such a representation, the concerned respondent shall consider the same, on its own merits and pass appropriate orders in accordance with law, within a period of 60 days from the date of such representation.

5. Accordingly, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

-s/d-

Assistant Registrar (CS-I)

True Copy

Sub-Assistant Registrar

hvk

To

1. The Directorate of Revenue Intelligence,
Chennai.

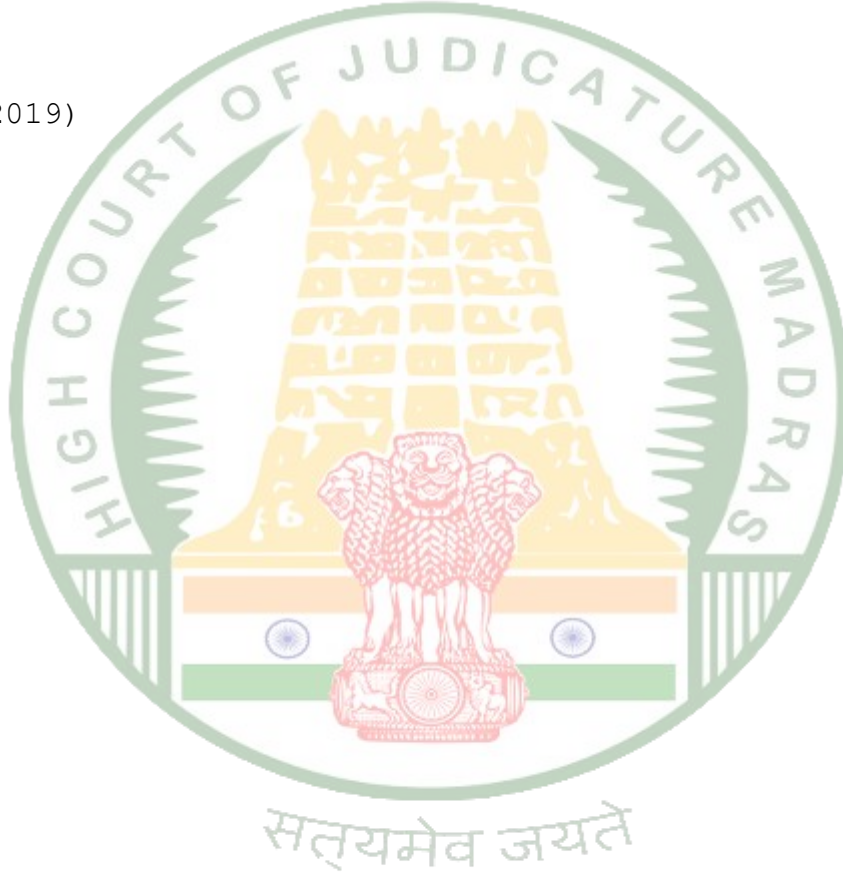
2. The Additional Commissioner of Customs,
(SIIB)
Air Cargo Complex,
Meenambakkam,
Chennai - 600027.

3. The Commissioner of Customs,
Customs House,
Chennai - 600001.

+1 CC to Mr.M.Venkatesh, Advocate sr 63872.
+1 CC to Mr.V.Sundareswaran, Advocate sr 63501

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and
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VSNII (CO)
SP (22/08/2019)



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