

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.07.2019

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THE HONOURABLE MR. JUSTICE M. SUNDAR

W.P.No.11827 and 11830 of 2019
& WMP.12036 of 2019

M/s. Southern Arecanut Pvt. Ltd.
Represented by its Director,
Mr.Rishi Kumar Gupta Petitioner

--Vs--

- 1.The Senior Intelligence Officer
Directorate of Revenue Intelligence
No.27 GN Chetty Road, T.Nagar
Chennai-600017
- 2.The Commissioner of Customs
Chennai II Commissionerate
Customs House, 60 Rajaji Salai
Chennai 600001
- 3.The Additional Commissioner of Customs (Group 1)
Chennai II Commissionerate
Custom House, 60 Rajaji Salai
Chennai 600001 Respondents

Prayer in WP No.11827 of 2019: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of certiorarified Mandamus, calling for the records pertaining to the impugned communication dated 09.04.2019 issued by the 3rd respondent in F.No.S.Misc/88/2019-Gr 1 and quash the same and further direct the 2nd and 3rd respondent to release the goods covered by bill of entry no.8852012 dated 14.11.2018.

Prayer in WP No.11830 of 2019: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus and direct the 3rd respondent to waive the demurrage and detention charges in terms of Regulation 6(1) of the Handling of Cargo in Customs Areas Regulations, 2009 for the period from the date of import of the goods covered by bill of entry no.8852012 dated 14.11.2018 to the date of actual clearance.

For Petitioner : Mr.G.Derrick Sam

For Respondents : Mr.V.Sundareswaran
Senior Panel Counsel (GST) for R1
Mr.Rajneesh Pathiyil
Standing Counsel for R2 and R3

O R D E R

Mr.G.Derrick Sam, learned counsel on record for writ petitioner in both the writ petitions and Mr.V.Sundereswaran, learned counsel for the respondent no.1, who is also representing Mr.Rajneesh Pathiyil, learned Standing Counsel, who has entered appearance on behalf of respondent nos. 2 and 3, are before this Court.

2. It is submitted without any disputation or disagreement by both sides that wind has been taken out of the sails and nothing survives now in the instant matters. Today, this Court has passed a common order in WP.Nos.8279, 8284 & 8290 of 2019, which in turn has been made pursuant to an order made by a Hon'ble Division Bench of this Court on 25.02.2019 in Writ Appeal Nos.236, 237, 240, 329 and 355 of 2019.

3. To be noted that this order is to be read in conjunction and in continuation of the aforesaid common order dated 31.07.2019 in W.P.Nos. 8279, 8284 & 8290 of 2019.

4. In the light of the common order made in WP.Nos. 8279, 8284 & 8290 of 2019 and aforementioned undisputed common submission made in unison, these writ petitions are dismissed. Consequently, connected miscellaneous petition is closed. No costs.

Sd/-

सत्यमेव जयते
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1.The Senior Intelligence Officer,
Directorate of Revenue Intelligence,
No.27 GN Chetty Road, T.Nagar,
Chennai-600017.

2.The Commissioner of Customs,
Chennai II Commissionerate,
Customs House, 60 Rajaji Salai,
Chennai 600001.

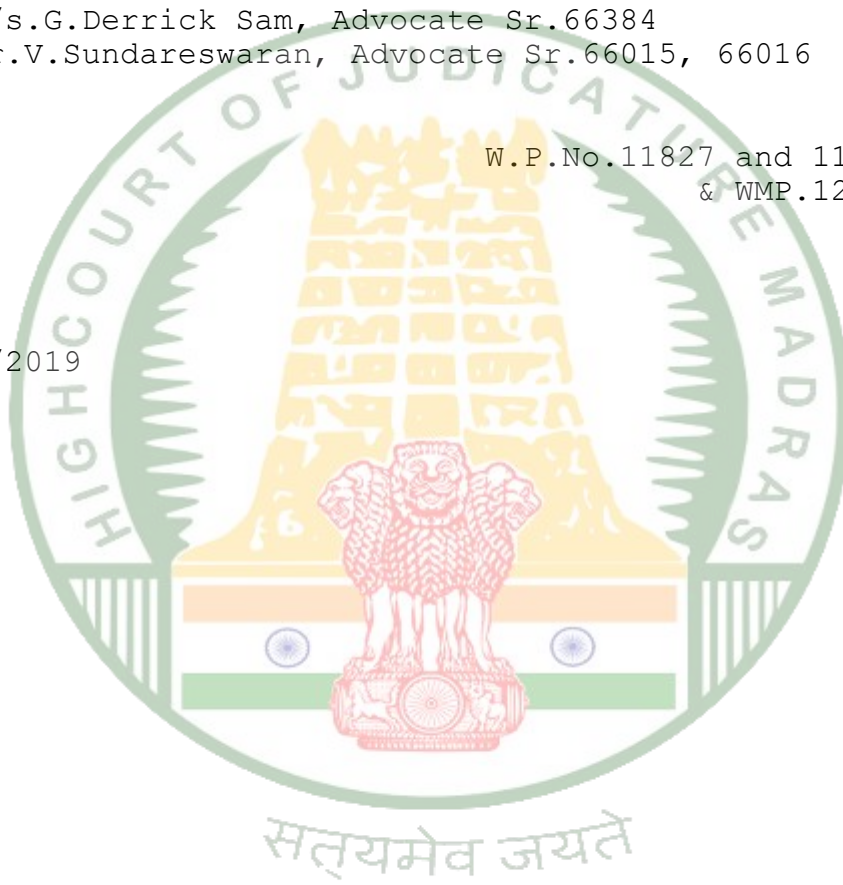
3.The Additional Commissioner of Customs (Group 1)
Chennai II Commissionerate,
Custom House, 60 Rajaji Salai,
Chennai 600001.

+1cc to M/s.G.Derrick Sam, Advocate Sr.66384

+2cc to Mr.V.Sundareswaran, Advocate Sr.66015, 66016

W.P.No.11827 and 11830 of 2019
& WMP.12036 of 2019

vsn II[co]
srg 13/09/2019



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