

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.12.2020

CORAM

THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P. No.17281 of 2020
and WMP.No.21372 of 2020

Om Trading Company
Rep by its Proprietor Mr.Aashish Gupta
Shop No. 4 AG/1/1 3rd Avenue Anna Nagar
Chennai- 600 040

...Petitioner

Vs

- 1 Commissioner of Customs
Commissionerate -II Group-I Customs House
60 Rajaji Salai Chennai- 600 001.
- 2 Joint /Additional Commissioner
of Customs Group-I Customs House 60
Rajaji Salai Chennai- 600 001.
- 3 Assistant / Deputy Commissioner
of Customs Group-I Customs House 60
Rajaji Salai Chennai- 600 001.

...Respondents

Prayer: Writ Petition filed under article 226 of the Constitution of India praying for issue orders directions or writs in particular a writ of mandamus direct the respondents to release the black matpe imported by the Petitioner covered under the Bill of Landings bearing Nos. BSLYGNMAA02744 dated 12/11/2019, A319A02900 dated 15/11/2019, A319A02901 dated 15/11/2019, A319A02903 dated 15/11/2019, ONEYYGNV10172900 dated 15/11/2019, YGNCB19003741 dated 16/11/2019, ELYGNMAA191126 dated 20/11/2019, ELYGNMAA191124 dated 20/11/2019, BLPLRGN1901753 DATED 21/11/2019 TO BLPLRGN1901770 DATED 21/11/2019, BLPLRGN1901772 dated 21/11/2019 to BLPLRGN1901788 dated 21/11/2019, BLPLRGN1901790 dated 21/11/2019, BLPLRGN901793 dated 21/11/2019, YGNCB19003775 DATED 22/11/2019, BLPLRGN1901816 DATED 04/12/2019 TO BLPLRGN1901820 DATED 04/12/2019, BLPLRGN1901825 DATED 04/12/2019 TO BLPLRGN1901828 DATED 04/12/2019, BLPLRGN1901832 DATED 04/12/2019, BLPLRGN1901833 DATED 04/12/2019, BLPLRGN1901835 DATED 04/12/2019 TO BLPLRGN1901859 DATED 04/12/2019 AND BLPLRGN1901860 DATED 05/12/2019 based on the petitioner's representations dated 23/10/2020 and 28/10/2020 given to the respondents in pursuance of the order of this Hon'ble Court in WP.No.4403/2019 and other dated 27.02.2019.

For Petitioner : Mr.P.S.Raman, Senior Counsel
For Mr.C.Seethapathy

For Respondents: Mrs.Hema Muralikrishnan
Senior Standing Counsel

O R D E R

The petitioner has sought a mandamus directing the respondents to release various consignments of pulses and peas including Black Matpe covered under several bills of entry based on its representation filed before the respondents.

2. On 07.12.2020 since the learned counsel stated that the proceedings for adjudication has been commenced by the respondents, an order was passed by this Court directing that the petitioner be heard on 08.12.2020 at 10.30 a.m. and a speaking order of adjudication be passed after hearing the petitioner on or before 22.12.2020. This Court had also referred to an order of the Division Bench of the Bombay High Court in M/s.Harihar Collections V.Union of India (W.P.(L) No.3503 of 2020 dated 15.10.2020) and had directed that the Assessing Officer adjudicate the matter taking note of the aforesaid decision.

3. It is now brought to my notice that an order of adjudication dated 21.12.2020 has been passed, adverse to the petitioner. The petitioner is always at liberty to challenge the aforesaid order in a manner known to law.

4. Nothing further survives in this writ petition as the same is rendered infrutuous by the passing of order of adjudication dated 21.12.2020 and this writ petition is thus closed as are the connected miscellaneous petition. No costs.

-s/d-

सत्यमेव जयते
Assistant Registrar

True Copy

Sub-Assistant Registrar

vs/Ska
To

1 The Commissioner of Customs
Commissionerate -II Group-I Customs House 60
Rajaji Salai Chennai- 600 001.

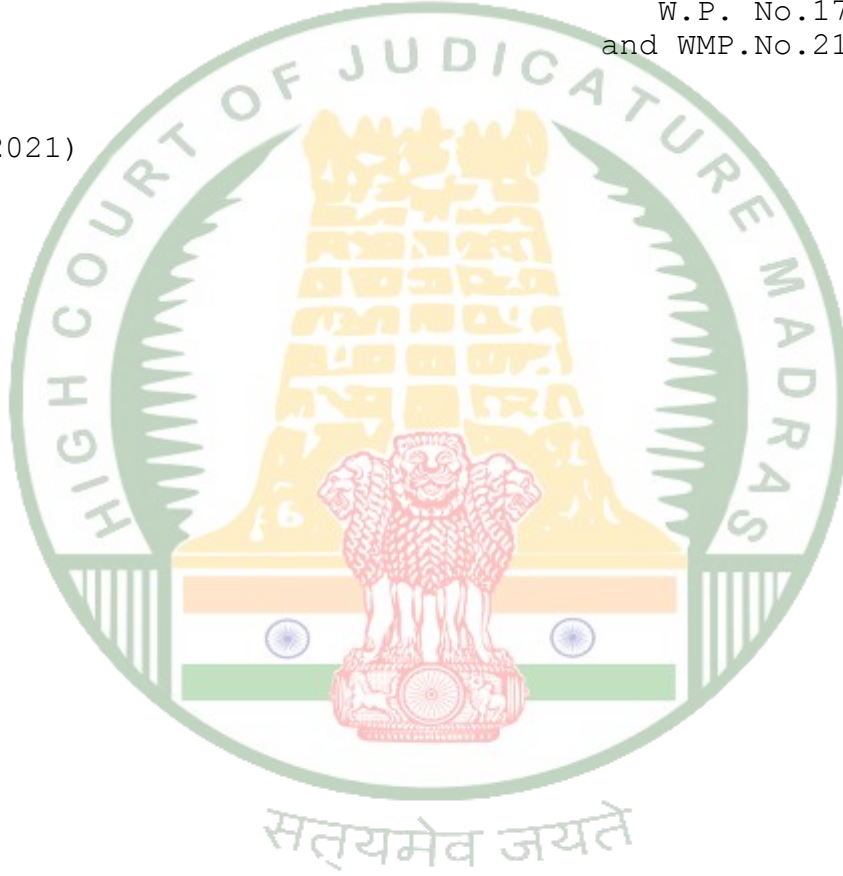
2 Joint /Additional Commissioner
of Customs Group-I Customs House 60
Rajaji Salai Chennai- 600 001.

3 Assistant / Deputy Commissioner
of Customs Group-I Customs House 60
Rajaji Salai Chennai- 600 001.

+1 CC to Mrs.Hema Muralikrishnan, Advocate sr 43170.

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RR(CO)
SP(29/01/2021)



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