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W.A(MD) Nos.889 and 890 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **01.10.2020**

CORAM

THE HON'BLE MR.JUSTICE M.SATHYANARAYANAN

and

THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

W.A(MD)Nos.889 and 890 of 2020

and

C.M.P(MD)Nos.4862 and 4863 of 2020

1. Union of India,
Represented by its Secretary,
Ministry of Finance,
Department of Revenue,
New Delhi.
 2. The Commissioner of Customs,
Custom House, New Harbour Estate,
Tuticorin - 628 004.
 3. The Assistant Commissioner of Customs (SIIB),
Custom House, New Harbour Estate,
Tuticorin - 628 004.
- : Appellants/Respondents
in both writ appeals

-Vs-

M/s.Black Gold Technologies,
Rep. by its Proprietor Mr.Anuj Bansal,
UP-58, Maurya Enclave, Pitam Pura,
Delhi - 110 034.

: Respondent/Petitioner
in both Writ appeals

Common Prayer: Writ Appeals - filed under Clause 15 of the Letters Patent Act, to set aside the common order dated 01.09.2020 made in W.P(MD)Nos.10513 and 10519 of 2020.

Prayer in W.P(MD)Nos.10513 and 10519 of 2020:

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court Pleased to issue a Writ of Mandamus or any other appropriate writ, or order or direction most specifically in the nature of a writ of mandamus directing the Respondents herein to release the goods 234.395 Tons viz., 10 Containers of "Used Rubber Tyres with one cut in Bead Wire" imported vide Bill of Entry No.6884370 dated 14.2.2020 totally valued at USD 7031.85 and 238.625 Tons viz., 10 Containers of "Used Rubber Tyres with one cut in Bead Wire" imported vide Bill of Entry No.6883151 dated 14.2.2020 totally valued at USD 7158.75



(In both writ appeals)

For Appellants : Mr.B.Vijaykarthikeyan

For Respondent : Mr.A.K.Jeyaraj

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COMMON JUDGMENT

[Judgment of the Court was delivered by **M. SATHYANARAYANAN, J.,**]

It is represented that as against the common order passed in some of the similar writ petitions, Revenue filed Writ Appeals in W.A(MD)No.863 of 2020 etc., batch and vide common judgment dated 29.09.2020, this Court had dismissed all the writ appeals.

2. This Court heard the submissions of Mr.A.K.Jeyaraj, learned counsel appearing for the respondent also.

3. In the light of the common judgment dated 29.09.2020 passed in W.A(MD)No.863 of 2020 etc., batch, these writ appeals are also dismissed, confirming the common order dated 01.09.2020 passed in W.P(MD)Nos.10513 and 10519 of 2020. No Costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

pm

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1. The Secretary,
Union of India,
Ministry of Finance,
Department of Revenue,
New Delhi.



2. The Commissioner of Customs,
Custom House, New Harbour Estate,
Tuticorin - 628 004.

3. The Assistant Commissioner of Customs (SIIB),
Custom House, New Harbour Estate,
Tuticorin - 628 004.

+1 CC to Mr.B.VIJAY KARTHIKEYAN, Advocate SR-18660.

+1 CC to Mr.A.K.JAYARAJ, Advocate SR-18898.

Judgment in
W.A(MD) Nos.889 and 890 of 2020
01.10.2020

SRK(CO)
CS(14.10.2020) 3P 6C