



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :15.06.2021

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.238 of 2005

M/s.Pushpa Silk,
Swastik Manandi Arcade F.7,
401/2, S.C.Road, Seshadripuram,
Bangalore - 560 020,
Rep.by its Sole Proprietor,
Mr.Sanjiv Kumar Jhun Jhun Wala

...Petitioner

Vs

1.The Commissioner of Customs (Port Imports),
Port, Customs House, Chennai - 600 001.

2.The Assistant Commissioner of Customs,
Group 3 & 4, (Customs House),
Chennai - 600 001.

... Respondent

PRAYER : Petition filed Under Article 226 of the Constitution of India to issue of Writ of Mandamus, directing the respondents 1 & 2 to assess and release the goods covered by Bills of Entry Nos. 718159 dated 24.11.2004, 718160 dated 24.11.2004, 718161 dated 24.11.2004, 718162 dated 24.11.2004, 718163 dated 24.11.2004, 719390 dated 25.11.2004, 719391 dated 25.11.2004, 721509 dated 1.12.2004, 721510 dated 01.12.2004 in terms of the contract No.IE/PS-SF038/03 dated 10.07.2003 as amended and Public Notice No.378 of 2001 dated 27.12.2001 on the declared invoice price.

For Petitioner : Mr.S.Dayaleeswaran
For Respondents : No appearance

O R D E R

Heard Mr.S.Dayaleeswaran, the learned counsel appearing for the petitioner.

2. The petitioner seeks for issuance of a Writ of Mandamus, directing the respondents to assess and release the goods covered by Bill of Entry Nos.718159 dated 24.11.2004, 718160 dated 24.11.2004, 718161 dated 24.11.2004, 718162 dated



24.11.2004, 718163 dated 24.11.2004, 719390 dated 25.11.2004, 719391 dated 25.11.2004, 721509 dated 1.12.2004, 721510 dated 01.12.2004 in terms of the contract No.IE/PS-SF038/03 dated 10.07.2003 as amended and Public Notice No.378 of 2001 dated 27.12.2001 on the declared invoice price.

3. It is seen that, at the time, when the Writ petition was entertained, an order was passed, directing release of the goods subject to certain conditions. Thus, if the petitioner had complied with the conditional order, and the goods have been released, it is open to them to work out their remedies in accordance with law, in the event, the Department has proceeded further in the matter.

4. With the above observation, the writ petition is disposed of. No costs.

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

Pns
To

- 1.The Commissioner of Customs (Port Imports),
Port, Customs House, Chennai - 600 001.
- 2.The Assistant Commissioner of Customs,
Group 3 & 4, (Customs House),
Chennai - 600 001.

W.P.No.238 of 2005

SR II (CO)
SP(23/07/2021)