



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.05.2021

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P. (MD)No.8118 of 2021

and W.M.P. (MD)No.6189 of 2021

WEB COPY

M/s.Diamond Nuts,
Rep. by its Authorized Signatory,
Dr.R.K.Bhoodes,
No.21, Prashanthinagarm,
Building No.5/653, Mangadu
Kollam, Kerala.

... Petitioner

versus

1. The Plant Protection Officer (E)
Plant Quarantine Station,
4/90, 4th Street, CGE Colony,
Tuticorin - 628 003.
2. Deputy Commissioner of Customs (Group I)
Custom House, Harbour Estate,
Tuticorin - 628 004.
3. Central Warehousing Corporation,
No.10, SIPCOT, Madurai Bye-pass Road,
Korampallam Post,
Tuticorin - 628 101.

... Respondents

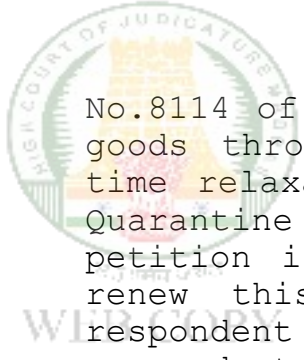
Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus, to direct the 2nd respondent to ensure grant of waiver of demurrage and detention charges on the goods covered by bill of entry No.7899664 dated 13.06.2020.

For Petitioner :	Mr.Hari Radhakrishnan
For R1 and R3 :	Mr.K.Asok Kumar Ram
For R2 :	Mr.R.Aravindhan

ORDER

This writ petition has been filed seeking for the issuance of Writ of Mandamus, to direct the 2nd respondent to ensure grant of waiver of demurrage and detention charges on the goods covered by bill of entry No.7899664 dated 13.06.2020.

2. Since the issue is pending with the first respondent on the entitlement of the petitioner for one time relaxation, as per Article 14 of the Plant Quarantine (Regulations of Import into India) Order, 2003 and the order passed by this Court in W.P.(MD)



No.8114 of 2021, directing to the first respondent to fumigate the goods through an accredited treatment provider, by providing one time relaxation to the petitioner under Article 14 of the Plant Quarantine (Regulations of Import into India) Order, 2003, this writ petition is closed at present, with liberty to the petitioner to renew this application, pursuant to the orders of the first respondent in W.P.(MD)No.8114 of 2021. Till such time, the respondents shall not take any coercive steps as against this petitioner in demurrage and detention charges on the goods. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (ADII)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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

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+1 CC to M/s.K.ASOK KUMAR RAM, Advocate (SR-18515[F] dated 10/05/2021)

W.P. (MD)No.8118 of 2021
06.05.2021

KB(16.06.2021) 2P 5C