



W.P.No.5680 of 2021

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.07.2023

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THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.No.5680 of 2021
and
W.M.P.No.24879 of 2022

M/s. A.R.S.Fabrics Pvt. Ltd.,
Represented by its Director, Mr.T.Vasudevan,
No.104, Elanagar Post,
Tiruchengode Taluk,
Namakkal District 637 212.

... Petitioner

v.

1.The Commissioner of Customs,
Chennai VIII Commissionerate,
Custom House, 60 Rajajisalai,
Chennai 600 001.

2.M/S. CALYX Container Terminals Pvt. Ltd.,
No.28, GNT Road (Nh-5),
Puzhal, Chennai 600 066.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the 1st respondent to take appropriate action against the 2nd respondent for suspension or revocation of the approval given to the 2nd respondent as a customs cargo service provider in



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terms of Regulation 11 of the Handling of Cargo in Customs Areas Regulations, 2009.

For petitioner : Mr.Hari Radhakrishnan
For Respondents : Mr.V.Sundareswaran,
Senior Panel Counsel for R1
R2- No Appearance

ORDER

The writ petition has been filed praying to issue a writ of mandamus directing the 1st respondent to take appropriate action against the 2nd respondent for suspension or revocation of the approval given to the 2nd respondent as a customs cargo service provider in terms of Regulation 11 of the Handling of Cargo in Customs Areas Regulations, 2009.

2. It is submitted by the learned counsel for the 1st respondent that the respondent authority has not yet received any such complaint / representation as stated in paragraph 8 of the affidavit of the petitioner and would also submit that if any complaint / representation was submitted by the petitioner, the same would be considered and appropriate orders would be passed in accordance with law on merit, which was agreed to by the petitioner.



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3. Recording the same, it is open to the petitioner to submit a representation to the 1st respondent and if any such representation is submitted, the respondent authority would consider the same and pass orders in accordance with law within a period of 12 weeks from the date of receipt of any representation is filed.

4. In view of the above, the Writ Petition stands disposed of. No costs. Consequently, connected Writ Miscellaneous Petition is closed.

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Index: Yes/No
Internet: Yes/No
Speaking / Non speaking order
shk



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MOHAMMED SHAFFIQ,J.

shk

To

- 1.The Commissioner of Customs,
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- 2.M/S. Calyx Container Terminals Pvt. Ltd.,
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