



WEB COPY



W.P.No.11434 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.04.2023

CORAM :

THE HONOURABLE MR. JUSTICE **M. DHANDAPANI**

W.P.No.11434 of 2023

M/s.Sino Import & Exports Pvt.Ltd.,
Rep by its Director: Sri.S.Amarish,
No.385, 4th Floor, RMV 2nd Stage,
2nd Block, 80 feet Road, Sanjay Nagar,
Bangaluru-660 094.
Karnataka State.

... Petitioner

Vs.

1. The Commissioner of Customs (Imports)
Chennai II Commissionerate,
Custom House,
No.60, Rajaji Salai,
Chennai-600 001.

2. The Additional Director General,
DRI, Opp to B.D.A Complex,
H.B.R. Layout, Kalyan Nagar Post,
Bengaluru-560 043
Karnataka State.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus or order or direction, in the nature of a Writ, under Art.226 of the Constitution of India, to direct the 1st respondent to release the Bank Guarantees furnished by the petitioner on 03.01.2022 to the



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total value of Rs.78,34,000-00 for the purpose of Provisional Release of the imported goods covered under the respective Bills of Entry, B.E.No.48877256 dated 31.07.2021; 4927400 dated 04.08.2021 and 5435468 dated 14.09.2021.

For Petitioner : Mr.K.Jayachandran
For Respondents : Mr.A.P.Srinivasan for R1
Mr.Sundareshwaran for R2

ORDER

This Writ Petition has been filed for a direction to the 1st respondent to release the Bank Guarantees furnished by the petitioner on 03.01.2022 to the total value of Rs.78,34,000 for the purpose of Release of the imported goods covered under bills of entry dated 31.07.2021, 04.08.2021 and 14.09.2021

2. The petitioner being a regular importer of Raw Silk, Raw silk yarn, silk fabrics in bulk from various Countries like China, Vietnam and Uzbekistan Origin through Chennai Port, had imported three consignments of “Milberry Raw Silk, vietnam Origin through Chennai Port and filed the bills of entry dated 31.07.2021, 04.08.2021 and 14.09.2021. On suspicion, the petitioner's goods were seized by the officials of the 2nd respondent on the



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ground that the imported goods might have been emanated from Uzbekistan Origin. Hence, the petitioner sought for provisional release of the imported goods vide letters dated 30.11.2021 and 06.12.2021 to the respondents, pursuant to which, the communication dated 14.12.2021 was sent by the officials of the 1st respondent stating that the provisional release of goods will be granted on condition that the petitioner furnishes a Bond equal to the value of the imported goods and also the bank guarantee. Hence, in order to get the bank guarantee, the petitioner having deposited a sum of Rs.78,34,000-00 in the bank and filed the same with the bank. However, till date, the 1st respondent has not released the bank guarantee. Hence, the petitioner has come up with this Writ Petition.

3. When the matter is taken up, learned counsel appearing for the 1st respondent submits that the proceedings with regard to seizure of the goods from the petitioner will be concluded on or before July 2023.

4. Recording the same, this Court without going into the merits of the issue directs the 1st respondent to conclude the proceedings and pass appropriate orders on or before July 2023. If the petitioner has any grievance



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with regard to the aforesaid order of the 1st respondent, it is open for the petitioner to approach this Court.

5. Accordingly, this Writ Petition stands disposed of with the aforesaid direction. There shall be no order as to costs.

13.04.2023

Index : Yes / No
Speaking order / Non speaking order
Netrual Citation Case : Yes / No
NHS



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M.DHANDAPANI, J.

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