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W.P.No.15176 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.05.2023

CORAM:

THE HONOURABLE MR. JUSTICE P.B. BALAJI

W.P.No.15176 of 2023
and W.M.P.No.14678 of 2023

Ocean Sky Impex Pvt. Ltd.,
Through its Director Mr.Venkataraman Karthik
No.33/4, North Street, Venkatesh PU,
Ayanavaram, Chennai – 600 023.

... Petitioner

Vs.

1.Commissioner of Customs,
Chennai – II Commissionerate,
Customs House,
60, Rajaji Salai, Chennai – 600 001.

2.Additional Director General,
Directorate of Revenue Intelligence,
27, G.N. Chetty Road,
T. Nagar, Chennai – 600 017.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, to release the goods imported under Bill of Entry Nos.2214121 dated 29.08.2022 seized vide



W.P.No.15176 of 2023

WEB COPY

seizure memo dated 18.11.2022 and Bills of Entry Nos.2299525 dated 04.09.2022 and 2299510 dated 04.09.2022 and subsequently seized by the respondents under Seizure Memo dated 19.10.2022 provisionally for re-export only, subject to reasonable conditions, if necessary, for safeguarding the revenue.

For Petitioner : Mr.Prem Ranjan Kumar

For Respondents : Mr.V. Sundareswaran,
Senior Standing Counsel
assisted by Mr.Arvind Srevatsa,
Junior Standing Counsel

ORDER

With the consent of both the parties, the Writ Petition is taken up for final disposal at the admission stage itself.

2. The Writ Petition has been filed for issuance of Writ of Mandamus to the respondents to release the goods imported under the Bill of Entry No.2214121 dated 29.08.2022 seized vide seizure memo dated 18.11.2022 and Bills of Entry Nos.2299525 dated 04.09.2022 and 2299510 dated 04.09.2022 and subsequently seized by them under



W.P.No.15176 of 2023

WEB COPY

Seizure Memo dated 19.10.2022 provisionally for re-export only, subject to reasonable conditions, if necessary, for safeguarding the revenue.

3. This Writ Petition was taken up for admission yesterday and adjourned to today, to enable the respondents to get necessary instructions.

4. Today, it is brought to the notice of this Court and admitted by all the parties concerned that the petitioner has already made an application on 19.04.2023 for provisional release of the goods.

5. In such view of the matter, it would be just and equitable to direct the first respondent to pass orders on the petitioner's application dated 19.04.2023, within a period of ten (10) days from today, after affording an opportunity of personal hearing to the petitioner, by putting the petitioner on advance notice so that the final orders are passed on his application within 10 days, without any further delay.



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W.P.No.15176 of 2023

P.B. BALAJI,J.

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6. With the above directions, the Writ Petition stands disposed of.

No costs. Connected miscellaneous petition is closed.

11.05.2023

Speaking order/Non-speaking order

Index: Yes/No

Neutral Citation: Yes/No

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Note: Issue Order Copy on 12.05.2023

To

1. Commissioner of Customs,
Chennai – II Commissionerate,
Customs House,
60, Rajaji Salai, Chennai – 600 001.

2. Additional Director General,
Directorate of Revenue Intelligence,
27, G.N. Chetty Road,
T. Nagar, Chennai – 600 017.

W.P.No.15176 of 2023