



WEB COPY



W.P.No.20852 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.07.2023

CORAM :

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.No.20852 of 2023

M/s.Sri Sai Enterprises,
No.66, Perumal Mudali Street,
Parrys, Chennai - 600 001.
Represented by its HUF
Suresh Rajendhran

... Petitioner

Vs.

- 1.The Additional Commissioner of Customs (SEZ),
Chennai VII Commissionerate, Customs House,
Meenambakkam, Chennai - 600 027.
- 2.The Deputy Commissioner of Customs (SEZ),
Chennai VII Commissionerate, Customs House,
Meenambakkam, Chennai - 600 027.
- 3.The Development Commissioner,
NDR Infrastructure Private Limited (INNPK6),
Special Economic Zone (SEZ),
Nandiampakkam Port Road,
Nandiambakkam, Ponneri Taluk,
Ennore, Thiruvallur District - 600 120.
- 4.M/s.Sai Krishna Logistics,
NDR Infrastructure Private Limited,
Free Trade Warehousing Zone (FTWZ),



W.P.No.20852 of 2023

Warehouse No.2,
Part B, Survey No.147,
Nandiampakkam Port Road,
Nandiambakkam, Ponneri Taluk,
Ennore, Thiruvallur District - 600 120.

5.The Additional Commissioner of Customs (SEZ) and (FTZ),
Chennai III Commissionerate, Customs House,
Rajaji Salai, Chennai - 600 001.

(R5 suo motu impleaded vide order of
this Court in W.P.No.20852 of 2023
dated 17.07.2023)

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, to direct the first and second respondents herein to consider the representation of the petitioner dated 09.09.2022, in so far as, in the said representation, the petitioner had sought for, to make immediate arrangements to feed necessary inputs in the EDI System and the ICEGATE online portal, including the out of charge order (OOC) given in respect of the four import consignments, viz., (i) 2000943 dated 20.07.2021 (DTA Bill of Entry No.1000985) (ii) 2001337 dated 24.08.2021 (DTA Bill of Entry No.1001405) (iii) 2001338 dated 24.08.2021 (DTA Bill of Entry No.1001411) (iv) 2001976 dated 11.10.2021 (DTA Bill of Entry No.1002128), imported in the name of the petitioner, through the NDR Infrastructure Private Limited (SEZ).

For Petitioner : Mr.S.Baskaran
For Respondents :
For R1 to R3 : Mr.Sai Srujan Tayi
Senior Standing Counsel



W.P.No.20852 of 2023

ORDER

WEB COPY

Mr.Sai Srujan Tayi, learned Senior Standing Counsel takes notice on behalf of the first to third respondents and submits that though the petitioner was within the jurisdiction of the first respondent, there is a subsequent change in the jurisdiction. Therefore, the petitioner's representation is to be considered by the Additional Commissioner of Customs (SEZ) and (FTZ), Chennai III Commissionerate, Customs House, Rajaji Salai, Chennai - 600 001.

2. Recording the above submission, the Additional Commissioner of Customs (SEZ) and (FTZ), Chennai III Commissionerate, Customs House, Rajaji Salai, Chennai - 600 001, is *suo motu* impleaded as a fifth respondent in this writ petition.

3. Hence, the petitioner's representation dated 09.09.2022 shall be disposed by the fifth respondent within a period of thirty days from the date of receipt of a copy of this order.



W.P.No.20852 of 2023

WEB COPY

4. The petitioner shall forward a copy of the representation dated 09.09.2022 to the fifth respondent. The learned Senior Standing Counsel for the respondents shall also forward a copy of the same to the fifth respondent, which is available in the typed set of papers.

5. This Writ Petition is disposed of with the above directions. No costs.

17.07.2023

Index : Yes/No

Internet : Yes/No

Speaking Order/Non-Speaking Order

Neutral Citation : Yes/No

arb

To

1.The Additional Commissioner of Customs (SEZ),
Chennai VII Commissionerate, Customs House,
Meenambakkam, Chennai - 600 027.

2.The Deputy Commissioner of Customs (SEZ),
Chennai VII Commissionerate, Customs House,
Meenambakkam, Chennai - 600 027.



W.P.No.20852 of 2023

WEB C

3. The Development Commissioner,
NDR Infrastructure Private Limited (INNPK6),
Special Economic Zone (SEZ),
Nandiampakkam Port Road,
Nandiambakkam, Ponneri Taluk,
Ennore, Thiruvallur District - 600 120.

4. The Additional Commissioner of Customs (SEZ) and (FTZ),
Chennai III Commissionerate, Customs House,
Rajaji Salai, Chennai - 600 001.



WEB COPY



W.P.No.20852 of 2023

C.SARAVANAN, J.

arb

W.P.No.20852 of 2023

17.07.2023



W.P.No.20852 of 2023

WEB COPY

W.P.No.20852 of 2023

C.SARAVANAN, J.

Today, this case is listed under the caption “for being mentioned’ after this Writ Petition was disposed of on 17.07.2023. The case is listed at the behest of the learned Senior Standing Counsel for the first to third respondents.

2.The learned Senior Standing Counsel for the first to third respondents submits that when the final order was passed on 17.07.2023, by mistake the fifth respondent name/address was given as the Additional Commissioner of Customs (SEZ) and (FTZ), Chennai III Commissionerate, Customs House, Rajaji Salai, Chennai – 600 001.

3.He submits that the address may be deleted and substituted with the following address:-

“The Development Commissioner,
MEPZ, Tambaram, Chennai.”



W.P.No.20852 of 2023

WEB COPY

4.The submission of the learned Senior Standing Counsel for the first to third respondents stands recorded. The name of the fifth respondent impleaded vide order dated 17.07.2023 is therefore directed to be substituted with the above address.

5.Registry is directed to incorporate the above correction in the order dated 17.07.2023 and issue fresh order copy to the parties.

6.The other portions of the order dated 17.07.2023 in W.P.No.20852 of 20223 shall stands confirmed.

21.08.2023

arb/dpa/krk



WEB COPY



W.P.No.20852 of 2023

C.SARAVANAN, J.

arb/dpa/krk

W.P.No.20852 of 2023

21.08.2023