



WEB COPY

WP.Nos.22938, 25636, 25676, 23768, 25691, 256
23276, 23760, 23766 & 24177 of 2022



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 08.03.2023

CORAM

THE HONOURABLE **DR. JUSTICE ANITA SUMANTH**

**W.P.Nos.22938, 25636, 25676, 23768, 25691, 25687,
23276, 23760, 23766 & 24177 of 2022 and
WMP.Nos.24726, 24727, 24730, 22220, 22724, 22734, 21949, 21950,
22219, 22737, 23159, 24732, 24628, 24629, 22726, 22732, 22733, 23161,
24703 & 24705 of 2022**

WP.No.22938 of 2022

M/s.Cadillac International
XI/399/C, Cadillac International
Nedumthode, Mudikal
Kerala-683 547
represented by its Partner
Riyaz Pareed

...Petitioner

Vs

1.The Additional Commissioner of Customs
Group I, Chennai II Customs Commissionerate
Custom House, 60 Rajaji Salai
Chennai - 600 001

2.The Asst. Commissioner of Customs
Group I, Chennai II Customs Commissionerate
Custom House, 60 Rajaji Salai
Chennai - 600 001

3.The Commissioner of Customs
Group I, Chennai II Customs Commissionerate
Custom House, 60 Rajaji Salai
Chennai - 600 001

... Respondents



PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records connected with provisional release order dated 12.08.2022 in file F.No.CUS/APR/MISC/2657/2022-Gr.1 passed by the 1st respondent herein and to quash the same for having been passed in total violation to the principles of natural justice and without respecting and following the directions issued by this Hon'ble Court in its order dated 13.06.2022 in WP No.11942 of 2022 [Batch] and by discriminating the petitioner leading to violation of Art. 14 of the Constitution of India and consequently direct the 1st respondent herein to forthwith release the goods viz. Betel Nut products known as supari [unflavoured supari] imported by the petitioner herein under B.E Nos.7667002 dated 27.02.2022, & 7694749 and 7694794 both dated 01.03.2022.

<i>Case Nos.</i>	<i>For Petitioners</i>	<i>For Respondents</i>
WP.Nos.22938 & 23276 of 2022	Mr.N.Viswanathan	Mr.V.Sundareswaran, Senior Panel Counsel
WP.Nos.25636, 25676, 23768, 25691, 25687, 23760 & 23766 of 2022	Mr.A.K.Jayaraj	Mr.V.Sundareswaran, Senior Panel Counsel
WP.No.24177 of 2022	Mr.A.K.Jayaraj	Mr.H.Siddharth, Junior Standing Counsel

COMMON ORDER

This batch of writ petitions may be disposed in light of a memo filed by Mr.V.Sundareswaran, learned Senior Panel Counsel today to the effect that the authorities are in a position to complete the proceedings for adjudication within



a period of four (4) weeks from today, as show cause notices have been issued as early as in September 2022 in all cases.

2.Learned counsel for the petitioners are satisfied with this undertaking and assure the Court that the petitioners will cooperate in the proceedings. Needless to say, the field is left open for all their submissions including request for re-export, if they are so inclined. The memo filed by Mr.Sundareswaran reads thus:

'1. The above said writ petitions challenging the order of provisional release passed under section 110A of the Customs Act, 1962 were listed for hearing to-day before the Hon'ble Dr.Justice Anitha Sumanth.

2. Since already Show cause notices were issued in all the above cases, the adjudication would be completed and Order-In-Original would be passed within 4 weeks from to-day (8/3/2023) subject to the co-operation to be extended by the petitioner.'

3.Recording this, these writ petitions are disposed in the aforesaid terms.

No costs. Connected miscellaneous petitions are closed.

08.03.2023

Index : Yes/No

Speaking Order

Neutral Citation:Yes/No

vs

To

1.The Additional Commissioner of Customs
Group I, Chennai II Customs Commissionerate
Custom House, 60 Rajaji Salai
Chennai - 600 001



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2. The Asst. Commissioner of Customs
Group I, Chennai II Customs Commissionerate
Custom House, 60 Rajaji Salai
Chennai - 600 001

3. The Commissioner of Customs
Group I, Chennai II Customs Commissionerate
Custom House, 60 Rajaji Salai
Chennai - 600 001



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Dr.ANITA SUMANTH, J.

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