



W.P.No.31961 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 08.11.2023

CORAM

THE HON'BLE Mr. JUSTICE KRISHNAN RAMASAMY

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K.G.Denim Ltd.,
Rep by its General Manager,
R.Panneerselvam,
Jadayampalayam, Mettupalayam,
Coimbatore 641 302.

... Petitioner

Vs.

1.The Commissioner of Customs,
Chennai – IV, Custom House,
No.60, Rajaji Salai,
Chennai 600 001.

2.Assistant Commissioner of Customs,
Chennai (Exports), Custom House,
No.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 Mandamus, to direct the 2nd respondent to consider the petitioner's application for amendment of 87 shipping Bills



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under Section 149 of the Customs Act, 1962 to rectify inadvertent error in Shipping Bills and to enable the petitioner to claim RoDTEP rewards mistakenly left unclaimed due to the error committed at the time of filing the Shipping Bills as prayed.

For Petitioner : Mr.S.Ganesh Aravindh,
for Lakshmi Kumaran
and Sridharan Attorneys

For Respondent : Ms.Anu Ganesan,
Junior Panel counsel

ORDER

This writ petition has been filed to direct the 2nd respondent to consider the petitioner's application dated 05.10.2023.

2. Ms.Anu Ganesan, learned Junior Panel Counsel, takes notice on behalf of the respondents. By consent of the parties, the main writ petition is taken up for disposal at the admission stage itself.

3. The learned counsel for the petitioner would submit that the petitioner had made several applications before the respondent for



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amendment of 87 shipping bills, where an inadvertent error occurred in mentioning square meters of the Denim Fabrics under the UQC Column of said shipping bills. However, in spite of those applications, the respondent had not taken any steps to amend the said shipping bills. Hence, this writ petition.

4. In reply, the learned counsel for the respondent would submit that since the documents are not available for inspection, the respondents are not in a position to amend the said shipping bills of the petitioner.

5. Heard the learned counsel for the petitioner and the respondent and also perused the materials available on records.

6. In view of the above, this Court directs the 2nd respondent to dispose of the petitioner's representation dated 05.10.2023 and thereafter, to verify the documents of the petitioner within a period of 30 days from the date of receipt of copy of this order.



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7. With the above directions, this writ petition is disposed of. No

cost.

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Speaking/Non-speaking order

Index : Yes / No

Neutral Citation : Yes / No

nsa

To

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