



W.P.No.18886 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.08.2024

CORAM:

THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

WP.No.18886 of 2024

M/s.Hiseins Exim
No.86, 2nd Floor,
Varadha Muthiappan Street,
Sowcarpet, Chennai- 600 001.

Petitioner

...Vs...

1. The Deputy Commissioner of Customs (Gr.5)
No.60, Rajaji Salai, Customs House,
Chennai- 600 001.
2. The Addl. Commissioner of Customs (Gr.5)
No.60, Rajaji Salai, Customs House,
Chennai-600 001.
3. The Commissioner of Customs (Gr.5)
No.60, Rajaji Salai, Customs House,
Chennai- 600 001.

Respondents

Prayer:- This Writ Petition is filed, under Article 226 of the Constitution of India, for issuance of Writ of Mandamus directing the Respondents herein to consider the representation of the petitioner dated 25.03.2024, in so far as, in the said representation, the petitioner had sought for the re-



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export the goods under import, being a live consignment, covered under two Bills of Entry Nos. (1) 6750228 dated 06.07.2023 and (2) 6769305 dated 07.07.2023, pending any further proceedings in the subject matter by the respondents and also to further direct the respondents to issue necessary detention certificate for waiver for demurrage/detention charges under Reg. 6(1) of the Handling of Cargos in Customs Area Regulations 2009, as amended.

For Petitioner : Mr.S.Baskaran

For Respondents : Mr.Rajnish Pathiyil
Senior Panel Counsel

ORDER

This Writ Petition is filed seeking direction to the the Respondents herein to consider the representation of the petitioner dated 25.03.2024, wherein, the petitioner had sought for the re-export of the goods under import, being a live consignment, covered under two Bills of Entry Nos. (1) 6750228 dated 06.07.2023 and (2) 6769305 dated 07.07.2023, pending any further proceedings in the subject matter by the respondents and also to further direct the respondents to issue necessary detention certificate for waiver for demurrage/detention charges under Reg. 6(1) of the Handling of Cargos in Customs Area Regulations 2009, as amended.



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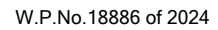
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2. Mr.Rajnish Pathiyil, learned Senior Panel Counsel takes notice on behalf of the Respondents.

3. By consent of both sides, this Writ Petition is taken up and disposed of at the stage of admission itself.

4. The learned counsel for the Petitioner would submit that the Petitioner is a proprietorship concern, which is engaged in the business of import and trading. During the course of business, the Petitioner imported two consignments viz., Spare parts for printing plates, from the overseas seller and accordingly filed two Bill of Entries along with import documents through its CHA for clearance, before the Respondent. He further submitted the Respondent has not come forward to release the goods. In this regard, the Petitioner made a representation on 25.03.2024 to the Respondents, requesting for re-export of the goods. Since the same has not been considered so far, this Writ Petition has been filed seeking for the aforesaid relief.

5. At this juncture, the learned Standing Counsel for the Respondents submitted that the representation pending before the



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KRISHNAN RAMASAMY, J.

arr

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