



W.P.(MD) Nos.14084 to 14087 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.04.2024

CORAM

THE HON'BLE MR.JUSTICE C.SARAVANAN

W.P.(MD) Nos.14084 to 14087 of 2023

and

W.M.P.(MD)Nos.11937, 11938, 11944, 11946, 11943, 11945, 11941 & 11942 of 2024

M/s.Raghav Industries Limited,
Represented by its Director,
Shri.Rajemndra Kumar Kanodia,
2nd Floor, Selvalaya Building,
1510H, Trichy Road,
Coimbatore.
Presently at:
Flat No.6-A, B Block,
Pioneer Apartments (Near Residency Hotel),
1075, Avinashi Road,
Coimbatore – 641 018.

... Petitioner in all the W.Ps.

Vs.

- 1.The Assistant Commissioner of Customs,
O/o. the Commissioner of Customs,
Custom House, Tuticorin - 628 004.
- 2.The Deputy Commissioner of Customs (EPCG),
O/o. the Commissioner of Customs,
Custom House, Tuticorin - 628 004. ... Respondents in all the W.Ps.

Prayer in W.P.(MD)No.14084 of 2023:- Writ Petition filed under Article 226 of Constitution of India for issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned Order-in-



W.P.(MD) Nos.14084 to 14087 of 2023

Original No.17/2018, dated 31.12.2018, in C.No.VIII/16/09/2018, passed by the first respondent, quash the same and direct the second respondent to release the bank guarantee/bond furnished with respect to EPCG License No.3230009344, dated 14.03.2007.

Prayer in W.P.(MD)No.14085 of 2023:- Writ Petition filed under Article 226 of Constitution of India for issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned Order-in-Original No.32/2017, dated 27.01.2017, in C.No.VIII/10/11/2016-Adjn., passed by the first respondent, quash the same and direct the second respondent to release the bank guarantee/bond furnished with respect to EPCG License No.3230008129, dated 18.10.2006.

Prayer in W.P.(MD)No.14086 of 2023:- Writ Petition filed under Article 226 of Constitution of India for issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned Order-in-Original No.24/2018, dated 31.12.2018, in C.No.VIII/16/09/2018, passed by the first respondent, quash the same and direct the second respondent to release the bank guarantee/bond furnished with respect to EPCG License No.32300009259, dated 06.03.2007.

Prayer in W.P.(MD)No.14087 of 2023:- Writ Petition filed under Article 226 of Constitution of India for issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned Order-in-Original No.26/2019, dated 09.01.2019, in C.No.VIII/16/09/2018, passed by the first respondent, quash the same and direct the second respondent



W.P.(MD) Nos.14084 to 14087 of 2023

to release the bank guarantee/bond furnished with respect to EPCG License No.3230014371, dated 03.02.2010.

For Petitioner
in all the W.Ps. : Mr.Hari Radhakrishnan
For Respondents
in all the W.Ps. : Mr.N.Dilipkumar
Senior Standing Counsel
Assisted by
Mr.K.Prabhu
Junior Standing Counsel

COMMON ORDER

By this common order, the respective impugned orders are set aside and the case is remitted back to the first respondent to pass a fresh order, considering the fact that the petitioner appears to have a proof for having fulfilled the export obligations and has also obtained redemption certificate from the Ministry of DGFT.

2. Considering the same, the impugned orders are set aside and the matters are remitted back to the first respondent to pass a fresh order on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. The petitioner shall file reply if any together with BRC / FRC / EODC, within a period of 30 days from the date of receipt of a copy of this order. The petitioner also shall co-operate with the respondents.



W.P.(MD) Nos.14084 to 14087 of 2023

3. These Writ Petitions are allowed accordingly. No costs.

Consequently, connected Miscellaneous Petitions are closed.

Index : Yes/ No
Neutral Citation: Yes / No
smn2

29.04.2024

To

- 1.The Assistant Commissioner of Customs,
O/o. the Commissioner of Customs,
Custom House, Tuticorin - 628 004.
- 2.The Deputy Commissioner of Customs (EPCG),
O/o. the Commissioner of Customs,
Custom House, Tuticorin - 628 004.



WEB COPY



W.P.(MD) Nos.14084 to 14087 of 2023

C.SARAVANAN, J.

smn2

Common order in
W.P.(MD) Nos.14084 to 14087 of 2023

29.04.2024