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W.P.No.4470 of 2025

IN THE HIGH COURT OF JUDICATUE AT MADRAS

DATED: 07.02.2025

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THE HONOURABLE **MR. JUSTICE ABDUL QUDDHOSE**

W.P.No.4470 of 2025

M/s.Charminar Rollers,
Rep. By its Authorized signatory
Shri. S.Madhukumar,
Udham Singh Nagar,
Uttarakhand – 244 713.

.. Petitioner

Vs

1.The Additional Commissioner of Customs (SIIB),
Chennai III Commissionerate,
Custom House,
Chennai – 1.

2.The Deputy Commissioner of Customs (SIIB),
Chennai III Commissionerate,
Custom House,
Chennai – 1.

3.The Assistant Commissioner of Customs (Group-3),
Custom House,
Chennai – 1.

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India seeking for issuance of a writ of mandamus to direct the first respondent to furnish a copy of the test report obtained from the CRCL laboratory, permit a re-test of the imported goods vide Bills of Entry



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Nos.3404892, dated 09.05.2024, and 3557871, dated 19.05.2024, at an independent and accredited laboratory; and allow clearance of the goods in accordance with law, without insisting on a Bank Guarantee.

For Petitioner : Mr.Hari Radhakrishnan

For Respondents : Ms.Anu Ganesan, JPC

ORDER

This writ petition has been filed seeking for a direction to the first respondent to furnish a copy of the test report obtained from the CRCL laboratory, permit a re-test of the imported goods vide Bills of Entry Nos.3404892, dated 09.05.2024, and 3557871, dated 19.05.2024, at an independent and accredited laboratory; and allow clearance of the goods in accordance with law, without insisting on a Bank Guarantee.

2. According to the petitioner, there is no necessity for the respondents to retest the goods. According to them, the goods were already tested and cleared for release to the petitioner. According to them, the respondents had sent the goods once again for retesting before a laboratory. The petitioner has claimed that they have not received a copy of the test report, which is the basis for issuing a communication dated



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26.11.2024.

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3. The learned standing counsel for the respondents, on instructions, would submit that the respondents are willing to give a copy of the test report to the petitioner.

4. Since the prayer sought for in this writ petition is only for seeking a direction to the respondents 1 and 2 to furnish a copy of the test report obtained from the CRCL laboratory, this Court is inclined to issue such a direction as sought for in this writ petition. Since the learned standing counsel for the respondents has also not raised any serious objection for the same, without prejudice to the rights and contentions of the respondents, this Court is of the considered view that the test report sought for by the petitioner in this writ petition can be directed to be given to the petitioner by the first respondent.

5. Accordingly, this Court directs the first respondent to furnish a copy of the test report obtained from the CRCL laboratory in respect of the goods imported vide Bills of Entry Nos.3404892, dated 09.05.2024, and 3557871, dated 19.05.2024, within a period of two weeks from the



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date of receipt of a copy of this order. With this direction, the writ petition is disposed of. No Costs.

07.02.2025

Index: yes/no
Neutral citation: yes/no
speaking/non-speaking
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To

- 1.The Additional Commissioner of Customs (SIIB),
Chennai III Commissionerate,
Custom House,
Chennai – 1.
- 2.The Deputy Commissioner of Customs (SIIB),
Chennai III Commissionerate,
Custom House,
Chennai – 1.
- 3.The Assistant Commissioner of Customs (Group-3),
Custom House,
Chennai – 1.

ABDUL QUDDHOSE,J.

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