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W.P. No.4279 of 2025 and W.M.P. No.4789 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.02.2025

CORAM:

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P. No.4279 of 2025 and W.M.P. No.4789 of 2025

S.U.Sirajdeen

.. Petitioner

VS.

1.The Additional Director General,
Directorate of Revenue Intelligence,
Delhi Zonal Unit,
7th Floor, D Block,
I.P.Bhawan, I.P.Estate,
New Delhi - 110 002.

2.The Senior Intelligence Officer,
DRI Head Quarters,
Mahatma Gandhi Rd,
IP Estate,
New Delhi - 110 002.

3.The Authorised Officer,
NDR INFRA Pvt. Ltd.,
Special Economic Zone,
Nadiambakkam, Chennai - 600 120.

.. Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents to permit clearance of the subject goods covered by Bills of Entry Nos.7574986 dated 02.01.2025, 7575180 dated 02.01.2025, 7648220 dated 07.01.2025, 7674955 dated 08.01.2025, 7790419 dated 15.01.2025,



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7791424 dated 15.01.2025 and 7521441 dated 30.12.2024 within a stipulated time frame.

For Petitioner : Mr.Hari Radhakrishnan

For Respondents : Mr.M.Santhanaraman,
Standing Counsel for R1 and R2

Mr.V.Ashok Kumar for R3

Ms.Anu Ganesan,
Junior Panel Counsel for R4

ORDER

This writ petition has been filed seeking for a direction to the respondents to permit clearance of the subject goods covered by Bills of Entry Nos.7574986 dated 02.01.2025, 7575180 dated 02.01.2025, 7648220 dated 07.01.2025, 7674955 dated 08.01.2025, 7790419 dated 15.01.2025, 7791424 dated 15.01.2025 and 7521441 dated 30.12.2024 within a stipulated time frame.

2.Learned counsel for the petitioner has placed before this Court a Communication sent by the Directorate of Revenue Intelligence to the Principal Commissioner of Customs (Chennai-III) with a copy marked to the petitioner through which, the Directorate of Revenue Intelligence has



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referred to in the communication placed by the learned counsel for the petitioner are concerned, subject to the conditions referred to supra.

5.Since the Principal Commissioner of Customs (Chennai-III) is not a party respondent in this writ petition, this Court suo motu impleads the Principal Commissioner of Customs (Chennai-III), Custom House, No.60, Rajaji Salai, Chennai - 600 001 as the party fourth respondent in this writ petition. Ms.Anu Ganesan, learned Junior Panel Counsel accepts notice on behalf of the newly added fourth respondent.

6.After recording the submissions made by the respective counsels, this Court issues the following directions:

a)The fourth respondent shall issue the provisional release order in respect of the seized goods pertaining to the Bills of Entry Nos.7574986 dated 02.01.2025, 7575180 dated 02.01.2025, 7648220 dated 07.01.2025, 7674955 dated 08.01.2025 and 7790419 dated 15.01.2025 to the petitioner, subject to the condition that the petitioner executes a Bond (on the full value/estimated value of the seized goods) or Bank Guarantee or Security Deposit as the fourth respondent may deem fit;



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b) Insofar as the remaining Bills of entry Nos.7791424 dated 15.01.2025 and 7521441 dated 30.12.2024, which are also the subject matter of this writ petition, the petitioner shall give a fresh representation to the fourth respondent seeking for provisional release in respect of the goods involved in those Bills of entry within a period of one week from the date of receipt of a copy of this order;

c) On receipt of the same, the fourth respondent shall consider the same, on merits and in accordance with law and pass final orders within a period of two weeks thereafter;

d) Once the security is given to the satisfaction of the fourth respondent, the fourth respondent shall issue the provisional release order in favour of the petitioner pertaining to the five Bills of entry, referred to supra, within a period of one week from the date when the security was furnished.

7. With the aforesaid directions, this writ petition is disposed of. Consequently, connected W.M.P. is closed. No costs.

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Index: Yes/No
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ABDUL QUDDHOSE, J.

vga

To

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