



W.M.P. No.11778 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.04.2025

CORAM

THE HON'BLE Mr. JUSTICE ABDUL QUDDHOSE

W.P. No.10462 of 2025

and

W.M.P. Nos.11776 of 2025 & 11778 of 2025

S.U. Sirajdeen

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Petitioner

VS

1. The Principal Commissioner of
Customs (Preventive)

Custom House,
No.60, Rajaji Salai,
Chennai – 600 001.

2. The Specified Officer,
NDR Infrastructure Private Ltd.,
Special Economic Zone,
Nandiyambakkam Port Road,
Tiruvallur,
Tamil Nadu – 600 120.

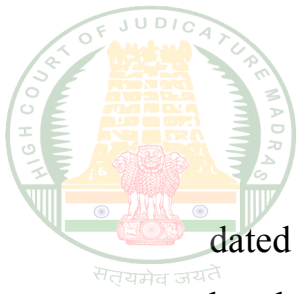
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Respondents

For Petitioner : Mr. Hari Radhakrishnan

For Respondents : Mr.S.M. Deendayalan, SSC

Prayer : This petition (W.M.P. No.11778 of 2025) has been filed to issue an interim direction directing the respondents herein to permit provisional release of the goods covered by Bills of Entry No.7648220,



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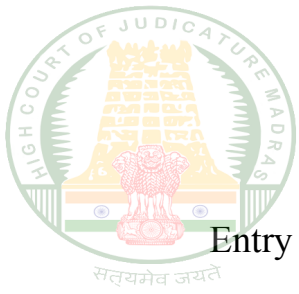
dated 07.1.2025, on payment of twice the value of differential duty and bond as determined in the Intimation Letter, dated 06.03.2025 issued in DIN No.20250373MX0000393075 sent by the 1st respondent pending disposal of this writ petition.

ORDER

Till date, counter has not been filed in this writ petition.

2. However, the learned counsel for the petitioner seeks for a direction from this Court as prayed for by the petitioner in W.M.P. No.11778 of 2025. The impugned order comprises of five Bills of Entries, bearing 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 enable the petitioner to run his business, the learned counsel for the petitioner seeks for an interim direction as prayed for in W.M.P. No.11778 of 2025 pertaining to Bill of Entry No.7648220, dated 07.01.2025.

3. The learned counsel for the petitioner on instructions would submit that the petitioner is prepared to furnish a Bank Guarantee for twice the value of the differential duty as determined in the Intimation Letter, dated 06.03.2025 sent by the 1st respondent insofar as Bill of



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Entry No.7648220, dated 07.01.2025 is concerned, to enable the petitioner to obtain provisional release of the goods covered under the said Bill of Entry, without prejudice to the rights and contentions of the petitioner in the main writ petition.

4. The learned Standing Counsel appearing for the respondents on instructions would submit that once a request is made by the petitioner, the respondents shall positively act upon the same and pass final orders on merits and in accordance with law.

5. This Court is of the considered view that since the petitioner is willing to furnish a Bank Guarantee as demanded under the impugned order, insofar as Bill of Entry No.7648220, dated 07.01.2025 i.e., by furnishing Bank Guarantee for twice the value of the differential duty as determined in the Intimation letter, dated 06.03.2025 sent by the 1st respondent, the respondents shall positively consider the provisional release of the goods covered under the Bill of Entry No.7648220, dated 07.01.2025, within a time frame to be fixed by this Court.



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6. For the foregoing reasons, this Court directs the petitioner to submit a representation to the 1st respondent undertaking to furnish Bank Guarantee for twice the value of the differential duty in respect of Bill of Entry, dated 7648220, dated 07.01.2025 seeking for provisional release of the goods covered under the said Bill of Entry, without prejudice to the rights and contentions of the petitioner in the main writ petition, within a period of one week from the date of receipt of a copy of this order. On receipt of the same, the 1st respondent shall positively consider the request of the petitioner for granting provisional release of the goods covered by Bill of Entry No.7648220, dated 07.01.2025, on furnishing a Bank Guarantee for twice the value of the differential duty as determined in the Intimation Letter dated 06.03.2025, within a period of two weeks, thereafter.

7. With the aforesaid directions, W.M.P. No.11778 of 2025 is disposed of.

8. Post the main writ petition for counter and disposal on **20.06.2025.**

25.04.2025

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ABDUL QUDDHOSE, J.

vsi2

To :

1. The Principal Commissioner of
Customs (Preventive)
Custom House,
No.60, Rajaji Salai,
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2. The Specified Officer,
NDR Infrastructure Private Ltd.,
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