



WEB COPY



W.P.No.18852 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.05.2025

CORAM

THE HON'BLE MR. JUSTICE G. R. SWAMINATHAN

W.P.No.18852 of 2025
and
W.M.P. No.21112 of 2025

M/s.Emyem Leather International,
Represented by its Authorized representative,
Mr.K.M.Asan Sheik,
No.33, Gangai Amman Koil Street,
Royapettah, Chennai – 600 014.

... Petitioner

Vs.

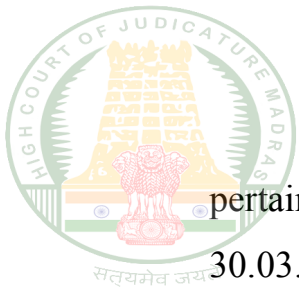
1. The Deputy Commissioner of Customs (CH-IV),
O/o.The Commissioner of Customs (Chennai – IV),
Customs House, No.60, Rajaji Bhavan,
Chennai – 600 001.

2. The Assistant Commissioner of Customs (BRC-DBK),
Drawback Department,
Custom House, No.60, Rajaji Bhavan,
Chennai – 600 001.

3. The Assistant Commissioner,
Arrear Recovery Cell,
Custom House, No.60, Rajaji Bhavan,
Chennai – 600 001.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India
in the nature of Writ of Certiorarified Mandamus to call for the records



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pertaining to the impugned order in original No.89149/2022 dated 30.03.2022 in F.No.S.Misc.2/696/2016-DBK passed by the 1st respondent and quash the same and further, direct the 3rd respondent to remove the alert regarding the arrears against order in original No.89149/2022 dated 30.03.2022 in the Electronic Data Interchange (EDI) system with respect to petitioner's IEC.No.0496014170.

For Petitioner : Mr. Hari Radhakrishnan

For Respondents : Mrs. Pooja Jain
Standing Counsel

ORDER

Heard both sides. Since the impugned order was passed without hearing the writ petitioner, the same stands set aside. The matter is remanded back to the file of the second respondent.

2. The petitioner shall appear before the second respondent on 05.06.2025 at 4 p.m. The second respondent shall hear the petitioner and pass orders afresh on merits and in accordance with law. Since the impugned order has been set aside, there cannot be any impediment for exporting the goods.



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3. Accordingly, this writ petition is allowed on these terms. The rights of the petitioner will abide by the outcome of the order to be passed by the second respondent. No costs. Consequently, connected miscellaneous petition is closed.

22.05.2025

Index : Yes/No
Speaking Order : Yes / No
Neutral Citation Case: Yes / No
ab

To

1. The Deputy Commissioner of Customs (CH-IV),
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G. R. SWAMINATHAN. J.,

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**22.05.2025
(3/4)**