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W.P.No.24217 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.12.2025

CORAM :

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P.No.24217 of 2024

Monesh Bhajalal Hinduja,
Sole Proprietor of Kartar Exim,
1-C, Chesney Nilgiri,
No.41, Commander-in-chief Road (Ethiraj Salai), Egmore,
Chennai – 600 008. ... Petitioner

Vs.

1. Commissioner of Customs,
No.60, Customs House, Rajaji Salai,
Chennai – 600 001.
2. Assistant Commissioner of Customs (Drawback),
No.60, Customs House, Rajaji Salai,
Chennai – 600 001.
3. Director General of Systems and Data Management,
No.26/1, Mahatma Gandhi Road, Nungambakkam,
Chennai – 600 034. ... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the respondents to issue manual credit to the current account of the petitioner bearing No.1076883 RBL Bank Limited Chennai having IFSC Code RATN0000113 with the benefits of the Drawback + RoSCTL (Scheme Code – 60) in relation to Shipping bills No. (7445285 dated 13.01.2022, 8460169 dated 23.02.2022 and 9682475 dated 13.04.2022) as per the



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order of the Commissioner of Customs, Chennai IV in Order-in-Original
No.101681/2023 dated 26.04.2023.

For Petitioner : Ms.Pavithra Sundararajan

For Respondents : Mr.K.Mohanamurali
Senior Panel Counsel

ORDER

This Writ Petition has been filed seeking for a direction to the respondents to issue manual credit to the current account of the petitioner bearing No.1076883, RBL Bank Limited, Chennai having IFSC Code RATN0000113 with the benefits of the Drawback with RoSCTL (Scheme Code – 60) in relation to Shipping bills No. (7445285 dated 13.01.2022, 8460169 dated 23.02.2022 and 9682475 dated 13.04.2022) as per the order of the Commissioner of Customs, Chennai IV in Order-in-Original No.101681/2023 dated 26.04.2023.

2. The petitioner seeks implementation of the order in original, dated 26.04.2023 passed by the Commissioner of Customs, Chennai IV referred to supra. They have not preferred any appeal against the said order. Since they are unable to get the benefit of the order in original dated 26.04.2023 and since the website (ICEGATE portal) does not enable them to do so, the petitioner has filed this writ petition seeking for



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issuance of manual credit to the current account of their bank account referred to supra.

3. The operative portion of the order in original passed by the Commissioner of Customs, Chennai IV, dated 26.04.2023 reads as follows :-

“10. I reject the request filed by M/s.Kartar Exim, for conversion of the Shipping Bills No. (5397734 dated 19.10.2021, 6005316 dated 16.11.2021, 7284954 dated 10.01.2022 and 7459878 dated 18.01.2022) from Drawback Scheme (Scheme Code-19) to Drawback + RoSCTL (Scheme Code-60).

11. I allow the conversion request filed by M/s.Kartar Exim for Shipping bills No. (7445285 dated 13.01.2022, 8460169 dated 23.02.2022 and 9682475 dated 13.04.2022) from Drawback Scheme (Scheme Code-19) to Drawback + RoSCTL (Scheme Code-60).”

4. The petitioner is unable to get the benefit of the operative portion of the order in original referred to supra, which is paragraph No.11 of the said order. Only under those circumstances, this writ petition has been filed.



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5. A counter has been filed by the respondents before this Court and the same is taken on record.

6. Since prior to the filing of this writ petition, the petitioner had not given any representation seeking for the relief as prayed for in this writ petition, the petitioner will have to give a fresh representation to the respondents, seeking for the relief as sought for in this writ petition within a stipulated time and on receipt of the said representation, a direction can be issued to the respondents to consider the same in the light of the order in original, dated 26.04.2023 passed by the Commissioner of Customs, Chennai IV.

7. For the foregoing reasons, this Court directs the petitioner to submit a fresh representation to the respondents, seeking for the relief as prayed for in this writ petition, within a period two (2) weeks from the date of receipt of a copy of this order. On receipt of the said representation from the petitioner within the time stipulated by this Court, the respondents shall pass final orders, on merits and in accordance with law, after giving due consideration to the order in original



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No.101681/2023, dated 26.04.2023 passed by the Commissioner of Customs, Chennai IV, within a period of eight (8) weeks thereafter. This Court is not expressing any opinion on the merits of the representation to be filed by the petitioner.

8. With the above directions, this Writ Petition is disposed of. No costs.

04.12.2025

Index : Yes / No
Speaking order / Non-speaking order
Neutral Citation Case : Yes/No
sp

To

- 1.The Commissioner of Customs,
No.60, Customs House, Rajaji Salai,
Chennai – 600 001.
- 2.The Assistant Commissioner of Customs (Drawback),
No.60, Customs House, Rajaji Salai,
Chennai – 600 001.
- 3.The Director General of Systems and Data Management,
No.26/1, Mahatma Gandhi Road, Nungambakkam,
Chennai – 600 034.



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ABDUL QUDDHOSE, J.

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