

Writ Petition No.35248 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.09.2025

CORAM

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Writ Petition No.35248 of 2025

M/s.Faith Street, Vendors Imports,
Having Office at SF.No.297/2C3,
College Road, Chennai.
Tamil Nadu - 600 054 represented by its
Proprietor M.Vijay

.... Petitioner

Vs.

1. The Deputy Commissioner of Customs,
Special Intelligence & Investigation Branch (SIIB),
Office of the Principal Commissioner of Customs,
Chennai -III, Preventive Commissionerate,
Custom House, No.60, Rajaji Salai,
Chennai - 600 001.

2. The Manager,
Chennai International Terminals Pvt. Ltd.(CITPL),
Chennai Port Trust, Chennai - 600 001.

3. Wan Hai Lines (I) Pvt. Ltd.,
Ground Floor, Seethakathi Business Centre,
Building No.684-690, Anna Salai,
Thousand Lights,
Chennai - 600 006.

... Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the first respondent to direct the second and third respondents to fully waive the detention and demurrage charges for Container No.WHSU4038572, pertaining to Bill



Writ Petition No.35248 of 2025

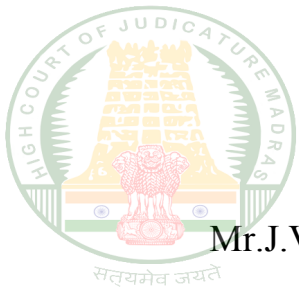
of Lading No.030F504369 dated 13.02.2025 and Bill of Entry No.8657549 dated 03.03.2025 and consequently to direct the second respondent to immediately release the goods in Container No.WHSU4038572 to the petitioner without imposing any detention, demurrage, or additional charges.

For Petitioner : Mr.M.Vinoth
For Respondents : Mr.J.Vasu
Junior Panel Counsel

ORDER

This writ petition has been filed for the issuance of a writ of mandamus directing the first respondent to act upon the representation made by the petitioner on 08.08.2025 and to direct the second and third respondents to fully waive the detention and demurrage charges for Container No.WHSU4038572, pertaining to Bill of Lading No.030F504369 dated 13.02.2025 and Bill of Entry No.8657549 dated 03.03.2025 and consequently to direct the second respondent to immediately release the goods in Container No.WHSU4038572 to the petitioner without imposing any detention, demurrage, or additional charges.

2. Heard Mr.M.Vinoth, learned counsel for the petitioner and



Mr.J.Vasu, learned Junior Panel counsel for the respondents.

WEB COPY

3. The case of the petitioner is that in the course of fair business, the firm had imported a consignment of furniture items. The goods were shipped under bill of lading dated 13.02.2025 in a container that was handled by the third respondent. The goods on arrival at Chennai Port, was detained by Special Intelligence & Investigation Branch (SIIB) for investigation purposes with effect from 13.02.2025. After thorough investigation, the SIIB did not find any irregularities in the consignment and also issued a No Objection Certificate vide letter dated 15.05.2025. The same letter informed to the second respondent that movement of the container may be permitted to the designated Special Economic Zone. Subsequently, a movement letter dated 30.05.2025 was issued by the customs authorities authorising the transfer of the container from CITPL to the designated Special Economic Zone.

4. The further case of the petitioner is that on completion of the investigation, the first respondent also issued a waiver letter dated 03.07.2025 and this letter was addressed to the third respondent with copies marked to the second respondent and the petitioner.



5. The grievance of the petitioner is that inspite of specific waiver letter issued by the first respondent, the second and third respondents, who are bound by the same have not acted upon and have not released the goods. As a result, the goods are being detained and there is a possibility that the detention and demurrage charges will be imposed against the petitioner.

6. In view of the same, the petitioner made a representation to the first respondent on 08.08.2025 to direct the second and third respondents to act upon the waiver letter issued by the first respondent dated 03.07.2025. Since there was no response, the present writ petition has been filed before this Court.

7. Taking into consideration the facts and circumstances of the case and considering the fact that after investigation, the SIIB did not find any irregularities in the consignment and had also issued a No Objection Certificate vide letter dated 15.05.2025 and the first respondent has also issued a waiver letter dated 03.07.2025, the first respondent is directed to intimate the second and third respondents to immediately act upon the waiver letter and release the goods in Container No.WHSU4038572 to



Writ Petition No.35248 of 2025

the petitioner without imposing any detention, demurrage or additional charges. This process shall be completed by the first respondent within a period of three weeks from the date of receipt of a copy of this order.

This writ petition is disposed of with the above terms. No costs.

16.09.2025

mp

To

1. The Deputy Commissioner of Customs,
Special Intelligence & Investigation Branch (SIIB),
Office of the Principal Commissioner of Customs,
Chennai -III, Preventive Commissionerate,
Custom House, No.60, Rajaji Salai,
Chennai - 600 001.
2. The Manager,
Chennai International Terminals Pvt. Ltd.(CITPL),
Chennai Port Trust, Chennai - 600 001.

N.ANAND VENKATESH, J.

mp



WEB COPY



Writ Petition No.35248 of 2025

Writ Petition No.35248 of 2025

16.09.2025