



WEB COPY

WP No. 1891 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-02-2026

CORAM

THE HON'BLE MR.JUSTICE V. LAKSHMINARAYANAN

WP No. 1891 of 2026

Majestic Maritime Private Limited
No.397/281, 2nd Floor, Precision Plaza,
Anna Salai, Teynampet,
Chennai- 600 018
Rep. by its Assistant Manager-Operations,
D.Madhivanan.

..Petitioner(s)

Vs.

1. The Director General
Directorate of Revenue Intelligence,
Headquarters at 7th Floor,
Drum Shaped Building,
I.P.Bhawan, I.P. Estate,
New Delhi- 110 002.
Also to
The Additional Director General,
Directorate of Revenue Intelligence,
Chennai Zonal Unit,
No.27, GN chetty Road,
T.Nagar, Chennai-017.
2. The Principal Commissioner Of Customs
(preventive),



Custom House, No.60, Rajaji Salai, Chennai -
600 001. (R2 Suo Motu Impleaded vide order
dated 10.02.2026 made in W.P.No.1891 of
2026)

(deleted from the array of respondents, vide
order dated 10.02.2026 made in W.P.No.1891
of 2026)

3. The Development Commissioner

Ministry of commerce and Industry
MEPZE Special Economic Zone,
Administrative Office,
NH-45, Tambaram,
Chennai- 045.

4. The Terminal Head

Adani Kattupalli Port Private Limited,
Kattupalli Road, Kattupalli,
Tamil Nadu- 600 120.

..Respondent(s)

Writ Petition filed under Article 226 of the Constitution of India, praying
for issuance of a Writ of Mandamus to direct the respondents 1 to 3 to de-stuff
the seized cargo from the 24 x 20' Containers belonging to the petitioner
presently lying at the premises of the 4th respondent Port and to keep the same
in any other CFS / Warehouse and return the empty containers to the petitioner
within a period of one week.



WEB COPY



For Petitioner(s):

M/s.S.Vasudevan

For Respondent(s):

M/s.Venkataswamy Balan for R-3

M/s.P.Giridharan for R.4

Mr.M.Santhanaraman, for R-1

Mr.H.Siddharth for R-2

ORDER

The petitioner-Company is in the business of hiring containers. During the course of business, one M/s.Aiyer Shipping Agency Private Limited, Anna Salai, Teynampet, Chennai-600 018, entered into a contract with the petitioner for supply of 24 containers of 24 x 20' on hire. The petitioner gave the said Agency the 24 containers on 17.12.2023. Aiyer Shipping Agency, as the freight forwarding agent of M/s.AP Warehousing and Trading LLP, sent the containers for stuffing. The stuffing and other formalities took place at the premises of M/s.A.P Warehousing and Trading LLP. After the containers were stuffed, they were sent to the fourth respondent for onward export to UAE, from Kattupalli Port, Tamil Nadu.

2. On the direction of the first respondent, the fourth respondent detained the goods and the containers on 05.01.2024. From that day till today, they have been lying in the fourth respondent-Port. The petitioner made several representations seeking return of the containers, as they were not the subject matter of seizure. It is not in dispute that it was only the goods which were the



subject matter of seizure by the Directorate of Revenue Intelligence and by the second respondent. The notices issued by the petitioner did not give it any relief. Hence, the petitioner is before this Court.

3. Notice was issued to all the respondents. The first respondent has entered appearance through Mr.Santhana Raman; for the second respondent, Mr.Siddharth appears. Mr.Venkatasamy Balan appears for the third respondent and Mr.P.Giridharan for the fourth respondent.

4. Mr.Santhana Raman has been instructed by the first respondent on 04.02.2026. In terms of the said instructions, the first respondent has stated that the continued retention of the containers, is no longer required for investigation or adjudication. The instructions also state that the containers have not been confiscated in terms of the adjudication order. Therefore, further detention may not be legally sustainable after finalisation of the proceedings.

5. Pursuant to the above instructions, Mr.H.Siddharth has been instructed by the second respondent to the effect that the Customs Department has no objection to the release of the containers, subject to completion of de-stuffing of the confiscated goods in compliance with port and custodian formalities. The second respondent also stated that since the containers are not confiscated goods and are no longer required for investigation, they can be released to the



container owner after removal of the confiscated cargo. It is pertinent to point out that both these instructions have been issued after this Writ Petition had been filed before this Court.

6. Insofar as Mr.Giridharan is concerned, he states that being a private Port, with whom contractual arrangements have been entered into by the freight forwarding agent and exporter, it is only to its dues being settled, the containers would be released.

7. Whether there exists a bailor or bailee relationship between the petitioner and the fourth respondent and whether he is entitled to enforce a lien under Section 171 of the Indian Contract Act, are not the matters which can be gone into this writ proceeding. It is for the fourth respondent to approach the jurisdictional Civil Court and get his lien enforced. In a Writ Petition filed by the container owner, the relief sought by Mr.P.Giridharan, cannot be granted. The petitioner cannot be worse off in a proceedings initiated by it, especially, when the fourth respondent has not initiated any proceedings so far. The retention of the goods and containers were on account of the orders passed by the respondents 1 and 2. Once they have reported that there is no necessity to retain the goods any longer, the retention of the containers, under the guise of the orders passed by the respondents 1 and 2 vanishes. It is for the fourth respondent to move the Civil Court and seek appropriate relief. Hence, this Writ



Petition is disposed of with the following directions:

(i) As the respondents 1 and 2, who had issued instructions to seize the goods, have themselves stated that they have no objection for release of the containers, the same is recorded and the first part of the prayer made in the Writ Petition stands disposed of accordingly.

(ii) Insofar as the lien that is claimed by Mr.Giridharan is concerned, it is upto the fourth respondent to initiate appropriate proceedings before the jurisdictional Civil Court, within three weeks from today. In case, no such proceedings are initiated, there shall be a direction to the fourth respondent to release the containers on expiry of the aforesaid period.

There shall be no order as to costs.

17.02.2026

(2/2)

CS



To

1. The Director General
Directorate of Revenue Intelligence,
Headquarters at 7th Floor,
Drum Shaped Building,
I.P.Bhawan, I.P.Estate, New Delhi- 110 002.

Also to:

The Additional Director General,
Directorate of Revenue Intelligence,
Chennai Zonal Unit, No.27, GN chetty Road,
T.Nagar, Chennai-17.

2. The Principal Commissioner Of Customs,
(Preventive), Custom House,
No.60, Rajaji Salai, Chennai-600 001

3. The Development Commissioner
Ministry of Commerce and Industry
MEPZE Special Economic Zone,
Administrative Office,
NH-45, Tambaram, Chennai- 600 045.



WEB COPY

WP No. 1891 of 2



V.LAKSHMINARAYANAN, J.

CS

WP No. 1891 of 2026

17-02-2026