



WEB COPY

WP No. 28413 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15-06-2026

CORAM

THE HON'BLE MR JUSTICE M.DHANDAPANI

**WP No. 28413 of 2024 and
WMP.Nos.30977 and 30978 of 2024**

M/s.Best Cast IT Limited,
Rep By Its Plant Head, Mr.Sampath
Kumar.R.16,Poonamallee High Road,
Velappanchavadi, Chennai-600 077,
Presently at:
Plot No.58, SP SF.No.184 and 185,
Ambattur Industrial Estate South,
Chennai-600 058.

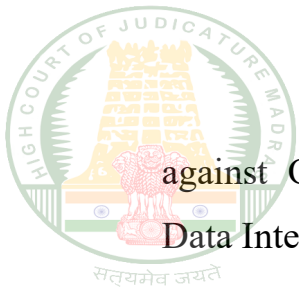
..Petitioner(s)

Vs

1. The Deputy Commissioner Of Customs
(BRC-DBK),
O/o.The Commissioner Of Customs,
Chennai,-IV, Customs House,
No.60, Rajaji Bhavan, Chennai-600 001.
2. The Assistant Commissioner(Exports)
New Custom House, Meenambakkam,
Chennai-600 027.
3. The Assistant Commissioner
Arrear Recovery Cell, New Custom House,
Meenambakkam, Chennai-600 027.

..Respondent(s)

Writ Petition filed under Article 226 of Constitution of India seeking for issuance of Writ of Certiorarified Mandamus to call for the records pertaining to the impugned order in original No.82390/2021 dated 27.3.2021 in F.No.S.Misc.2/394/2016 DBK passed by the 1st respondent and quash the same and further directing the 3rd respondent to remove the alert regarding the arrears



against Order-in-Original No.82390/2021 dated 27.3.2021 in the Electronic Data Interchange (EDI) system with respect to petitioners IEC No.0493015566.

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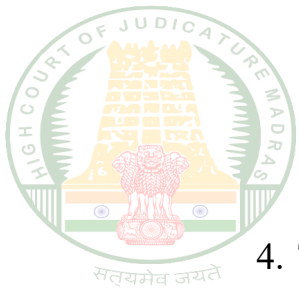
For Petitioner(s): Mr.Hari Radhakrishnan
For Respondent(s): Mr.Rajendran Raghavan

ORDER

This Writ Petition has been filed challenging the Order-in-Original No.82390/2021 dated 27.3.2021 in F.No.S.Misc.2/394/2016 DBK passed by the 1st respondent and to quash the same and further direct the 3rd respondent to remove the alert regarding the arrears against Order-in-Original No.82390/2021 dated 27.3.2021 in the Electronic Data Interchange (EDI) system with respect to petitioners IEC No.0493015566.

2. The petitioner has challenged the impugned order on the main ground that the same came be passed, without issuing notice and without issuing an opportunity of hearing to the petitioner and therefore the same suffers from violation of principles of natural justice.

3. The learned counsel for the petitioner submitted that one more opportunity may be given to the petitioner to put forth his case. He therefore prays to set aside the impugned order and remand the matter to the authority concerned for fresh consideration after affording an opportunity to the petitioner.



4. The learned counsel appearing for the respondents would submit that despite issuance of show cause notice and the personal hearing notices to the petitioner, the petitioner failed to submit its reply and appear for personal hearing. Therefore the 1st respondent passed the order dated 27.03.2021. Further, he would submit as against the order impugned herein, appeal remedy is available to the petitioner.

5. Considering the submission made by the learned counsel appearing on either side and upon perusing the materials on record, though it is stated by the respondents that show cause notice and personal hearing notices were issued to the petitioner, the petitioner denied the same. Since the impugned order was passed without hearing the petitioner, in order to provide one opportunity to the petitioner, this Court is inclined to set aside the impugned order. Accordingly, the order impugned herein is set aside and the matter is remanded back to the 1st respondent for fresh consideration. The 1st respondent is directed to pass orders afresh, after issuing notice to the petitioner and after providing an opportunity of personal hearing to the petitioner, within a period of two months from the date of receipt of a copy of this order.



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

Consequently, connected Miscellaneous Petitions are closed.

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Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

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To

1. The Deputy Commissioner Of Customs(BRC-DBK),
O/o.The Commissioner Of Customs, Chennai,-iv, Custome House, No.60,
Rajaji Bhavan, Chennai-600 001.
2. The Assistant Commissioner(Exports)
New Custom House, Meenambakkam, Chennai-600 027.
3. The Assistant Commissioner
Arrear Recovery Cell, New Custom House, Meenambakkam,
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M.DHANDAPANI, J.

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