



WEB COPY

WP No. 33871 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-06-2026

CORAM

THE HON'BLE MR JUSTICE M.DHANDAPANI

WP No. 33871 of 2023

M/s.Caravel Logistics Pvt Ltd.
No.484, 3rd Floor, Pantheon Plaza, Pantheon
Road, Egmore, Chennai-600 008,
Rep. by Its Manager-legal
Mrs.P.Suganya

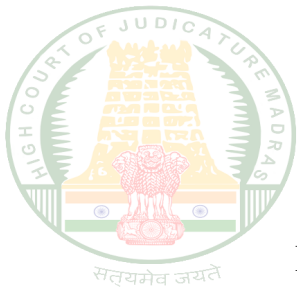
..Petitioner(s)

Vs

1. The Assistant Commissioner Of Customs,
Docks Administrative, Preventive
Commissionerate, Customs House,
Chennai-600 001.
2. M/s.Thiruvani Logistics Pvt Ltd., (CFS)
1/106, 100 Feet Road, Manali Express Road,
Opp. To EDM Nadimadhavaram,
Chennai-600 060

..Respondent(s)

Writ Petition filed under Article 226 of Constitution of India seeking for issuance of Writ of Mandamus directing the 1st respondent to dispose of the goods confiscated vide order-in-original no.82702 and 82716/2021 in terms of the Instruction No.20/2021-Cus dated 10.09.2021 and consequently direct the 2nd respondent to release the containers as per the NOC dated 05.01.2023 issued in F.No.S.Misc 25/ 2018-SIIB within a reasonable time



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For Petitioner(s):

Mr.Hari Radhakrishnan

For Respondent(s):

Mr. K. MOHANAMURALI,
Senior Standing Counsel (R1)
Mr. S. Murugappan (R2)

ORDER

This Writ Petition has been filed seeking a direction to the 1st respondent to dispose of the goods confiscated vide order-in-original no.82702 and 82716/2021 in terms of the Instruction No.20/2021-Cus dated 10.09.2021 and consequently direct the 2nd respondent to release the containers as per the NOC dated 05.01.2023 issued in F.No.S.Misc 25/ 2018-SIIB within a reasonable time

2. The facts of the case in brief are as follows:

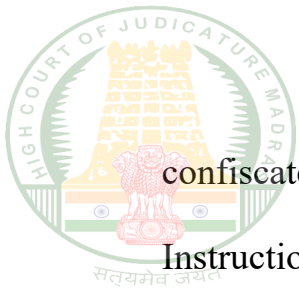
(i) The Petitioner Company is engaged in the business of providing logistics services for import and export of goods. M/s.Kisan Exports (Importer) had filed Bill of Entry No.4773768 dated 12.01.2018 for import of goods declared as 'gypsum powder'. The said goods were imported in nine (9) containers belonging to the petitioner Company. The subject import was taken up for investigation by the Special Intelligence and Investigation Branch (SIIB). On examination of such goods, it was found that the cigarettes were concealed



and imported along with the bags of gypsum powder. The goods were seized by Special Intelligence and Investigation Branch (SIIB) under the provisions of Customs Act, 1962, vide mahazar dated 29.01.2018 and 30.01.2018.

(ii) The shipping agent and the custom brokers were made as part of the proceedings in the show cause notice dated 28.01.2019. No allegation was made against the petitioner Company. Thereafter, the Commissioner of Customs, Chennai II Commissionerate adjudicated the said show cause, vide order-in-original no.82702 & 82716 of 2021 dated 31.03.2021 and imposed penalty on the importer and on certain persons. However, no penalty was imposed on the petitioner company. The petitioner sent a letter to the 1st respondent on 06.09.2021 requesting them to release the subject containers which were lying in the CFS being operated by the 2nd respondent. Thereafter the 1st respondent issue a NOC dated 05.01.2023, in releasing 9 containers. Though the petitioner approached the 2nd respondent several times with the NOC issued by the 1st respondent, the 2nd respondent has not permitted the petitioner to take release of the containers and orally informed the petitioner that do not have funds or space to dispose of the confiscated goods and therefore, expressed their inability to release the subject nine containers. Hence, this petition.

3. The learned counsel appearing for the petitioner would submit that a direction may be issued to the 1st respondent to dispose of the goods



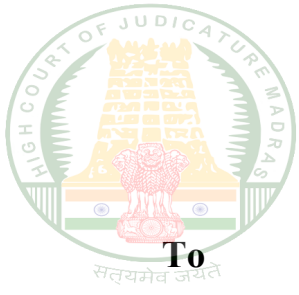
confiscated vide order-in-original no.82702 and 82716/2021 in terms of the Instruction No.20/2021-Cus dated 10.09.2021 and consequently direct the 2nd respondent to release the containers as per the NOC dated 05.01.2023 issued in F.No.S.Misc 25/ 2018-SIIB within a reasonable time.

4. The learned counsel appearing for the 1st respondent would submit that already the 1st respondent had issued a No Objection Certificate dated 05.01.2023 for releasing 9 containers and therefore a direction may be issued to the 2nd respondent to release the containers based on the .aforesaid NOC.

5. In view of the submission made by the learned counsel appearing on either side, the 2nd respondent is directed to release the containers as per the NOC dated 05.01.2023, within a period of *six weeks* from the date of receipt of a copy of this order.

12-06-2026

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

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