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W.P.No.33729 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.01.2026

CORAM

THE HONOURABLE MR JUSTICE **ABDUL QUDDHOSE**

W.P.No.33729 of 2023

M/s.N.C.Alexander,
T/H-24, Anna Fruit Market,
Koyambedu, Chennai – 600 092,
Rep. by its Proprietor Mr. N.C.Alexander ... Petitioner

vs.

1.The Commissioner of Customs,
(Appeals-II) Custom House, 60, Rajaji Salai,
Chennai – 600 001.

2.The Commissioner of Customs,
Commissionerate II, Custom House,
No.60, Rajaji Salai, Chennai – 600 001.

3.The Joint Commissioner of Customs,
(Group-1), Custom House,
Seaport-Import, No.60, Rajaji Salai,
Chennai – 600 001.

4.The Assistant Commissioner of Customs,
(Group-1), Custom House,
Seaport-Import, No.60, Rajaji Salai,
Chennai – 600 001. ... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 3rd and 4th Respondents to release the goods covered by implementing the order in Appeal



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Seaport in C.Cus.II No.755/2023 dated 08.11.2023, setting aside the Order in Original No.103185/2023 dated 27.09.2023 relating to Bill of Entry No.7825331 dated 14.09.2023 for import of 'Fresh Apples', and further direct the respondents to issue a (Detention Certificate) for waiver of demurrage and container detention charges in terms of Regulation 6(1) (I) of the Handling of Cargo in Customs Area Regulations 2009.

For Petitioner : Mr.M.Mukilan
for M/s.Dr.S.Krishnanandh
For Respondents : Mr.K.Umesh Rao
Senior Standing Counsel

ORDER

The learned counsel for the petitioner, on instructions, would now submit that the prayer sought for in this writ petition has now become infructuous, since the subject goods have already been released by the respondents subsequent to the filing of this writ petition. However, he would submit that till date, the waiver detention/demurrage certificate has not been issued by the respondents.

2. Since the subject goods have already been released to the petitioner, this Writ Petition is disposed of, by granting liberty to the petitioner to give a representation to the respondents seeking for issuance of waiver detention/demurrage certificate for the subject goods and on



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receipt of the said representation, a direction is issued to the respondents to consider the same, on merits and in accordance with law, as expeditiously as possible. No Costs.

19.01.2026

Index : Yes/No
Speaking Order : Yes / No
Neutral Citation Case: Yes / No
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To

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Chennai – 600 001.
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ABDUL QUDDHOSE. J.

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