



WEB COPY



W.P.No.46547 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.01.2026

CORAM

THE HONOURABLE MR JUSTICE ABDUL QUDDHOSE

W.P.No.46547 of 2025
and W.M.P.Nos.51926 & 51931 of 2025

M/s.Winwin Logistics (India) Pvt. Ltd.,
Old No.291/1, New No.64, First Floor,
Linghi Chetty Street, Chennai – 600 001.
Rep. By its authorized signatory G.Venkatesan

... Petitioner

Vs.

1.The Superintendent of Customs,
O/o. The Commissioner of Customs (General)
Chennai Customs Zone,
60, Rajaji Salai,
Customs House, Chennai – 600 001.

2. The Deputy Commissioner of Customs (General)
Chennai Customs Zone, 60 Rajaji Salai,
Customs House, Chennai – 600 001.

3. The Commissioner of Customs (General)
Chennai Customs Zone, 60, Rajaji Salai,
Customs House, Chennai – 600 001.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records of the first respondent herein issued under the Customs Broker License Management System (CBLMS) vide communication/order dated 17.10.2025 and to quash the same, to the extent of holding at para 6: Shri G.Venkatesan was



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qualified the F-card exam in the jurisdiction of Coimbatore and he is not eligible to apply in the jurisdiction of Chennai as per Regulations 4(2) of CBLR, 2018” insofar as, the said impugned communication/order had been issued and passed without jurisdiction and authority of law and also against the provisions of the CBLR, 2018 and in utter violation to the principles of natural justice, and in gross violation of the fundamental rights guaranteed to the petitioner herein under Art. 19(1)(g) and 301 of the Constitution of India and consequently to process the application for the grant of CB license in the name of the petitioner company.

For Petitioner : Mr.S.Baskaran

For Respondents : Mr.K.S.Ramaswamy
Senior Standing Counsel

ORDER

This Writ Petition has been filed challenging the impugned communication/order dated 17.10.2025 pertaining to paragraph No.6 of the said communication/order.

2. Mr.G.Venkatesan, who was issued with F-card by the Coimbatore Division of the Customs Department, has applied for customs brokering license for the petitioner company before the Chennai Customs Division. The application submitted by G.Venkatesan on behalf of the petitioner company seeking customs brokering license has been returned by the impugned



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communication/order dated 17.10.2025 by the first respondent pointing out six deficiencies. The petitioner is aggrieved by the sixth deficiency alone which more fully described in paragraph No.6 of the impugned communication/order dated 17.10.2025. The petitioner is willing to comply with the other deficiencies pointed out in paragraph Nos.1 to 5 of the impugned communication/order dated 17.10.2025. Paragraph No.6 of the impugned communication/order dated 17.10.2025, reads as follows :-

“6. Shri G.Venkatesan has qualified the F-card exam in the jurisdiction of Coimbatore and he is not eligible to apply in the jurisdiction of Chennai as contemplated under Regulation 4(2) of the CBLR, 2018 and the Regulations reads as “the application for a license to act as a Customs Broker in a Customs Station in Form A along with a fee of five hundred rupees shall be made to the Principal Commissioner of Customs or Commissioner of Customs, as the case may be having jurisdiction over the area where the applicant intends to carry on his business.”

3. The petitioner has contended that the said reasoning given by the Customs department is arbitrary and illegal. According to the petitioner, as an F-card holder, G.Venkatesan is allowed to represent the interest of the petitioner company as per the CBLR, 2018, before any jurisdiction. Hence, paragraph No.6 of the impugned communication/order dated 17.10.2025 is arbitrary and



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illegal which has restricted G.Venkatesan from acting on behalf of the petitioner company only before the Coimbatore region and not in other regions.

4. A counter has also been filed by the respondents before this Court. The main contention of the respondents is that the communication which is challenged in this Writ Petition is not a final order passed by the Customs department. It is only a communication sent to the petitioner pointing out deficiencies in the petitioner's application seeking for grant of a customs brokering licence. Therefore, according to them, the petitioner has filed this Writ Petition prematurely.

5. The learned counsel appearing for the petitioner drew the attention of the Court to the following authority of the Bombay High Court made in ***W.P.No.8251 of 2023*** in the case of ***Globotrans Prologisticx Pvt., Ltd., & anr Vs. Union of India & ors order*** dated ***16.09.2025***, in support of his contention and would submit that a F-card holder can represent the interest of the company, firm or individual before any customs department in India under CBLR, 2018.

6. The said submission made by the learned counsel appearing for the petitioner that the F-card holder can practice anywhere in India subject to the



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adherence to CBLR 2018 is not disputed by the learned Standing Counsel appearing for the respondents. However, he would submit that the deficiencies as pointed out in paragraph Nos.1 to 5 under the impugned communication have to be strictly adhered to by the petitioner. The learned counsel appearing for the petitioner would further submit on instructions that, the petitioner is ready and willing to comply with paragraph Nos.1 to 5 of the impugned communication. But, he would submit that paragraph No.6 of the impugned communication has to be set aside by this Court, since the same has been issued without authority under law. Any person who has been issued with an F-card under CBLR, 2018 is certainly entitled to represent the interest of the party concerned as per CBLR, 2018 anywhere in India. The said fact cannot be disputed and therefore, this Court need not go into the decisions relied upon by the learned counsel appearing for the petitioner, referred supra.

7. Therefore, paragraph No.6 of the impugned communication/order dated 17.10.2025 issued by the first respondent, which has been extracted supra by this Court, has to be set aside, since the same is restricting G.Ventakesh from representing the interest of the petitioner company for the purpose of obtaining customs brokering license for the petitioner company at Chennai, as the said restriction has been passed without authority under law. But, necessarily, the



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petitioner company as well as Mr.G.Venkatesan, who is the F-card holder must strictly adhere by the CBLR, 2018. In fact, before this Court, the petitioner has given an undertaking through his counsel that paragraph Nos.1 to 5 of the impugned communication will be strictly adhered to by the petitioner, as the petitioner is aggrieved only by one restriction namely paragraph No.6 imposed by the first respondent under the impugned communication with regard to Mr.G.Venkatesh (F-card holder) from representing the interest of the petitioner before the Customs department at Chennai for the purpose of obtaining customs brokering license for the petitioner at Chennai. Except for this grievance, the petitioner has no other grievance with regard to the impugned communication dated 17.10.2025 issued by the first respondent, since it is an undisputed fact that Mr.G.Venkatesh having been issued with F-card at Coimbaore division is entitled to practice anywhere in India. Paragraph No.6 of the impugned communication, which restricts his practice to Coimbatore alone, has been issued without any authority under law, and therefore the said restriction found in paragraph No.6 of the impugned communication is set aside by this Court. Apart from the same, other deficiencies pointed out by the first respondent in the impugned communication remain unaltered, and the petitioner has also given an undertaking to comply with other deficiencies.



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8. In terms of the aforesaid directions, the Writ Petition stands disposed of. Consequently, connected miscellaneous petitions are closed. There shall be no order as to costs.

02.01.2026

Index : Yes/No
Neutral Citation : Yes/No
Speaking/Non Speaking order

Note : Issue order copy on 05.01.2026
rts

To

1. The Superintendent of Customs,
O/o. The Commissioner of Customs (General)
Chennai Customs Zone,
60, Rajaji Salai,
Customs House, Chennai – 600 001.

2. The Deputy Commissioner of Customs (General)
Chennai Customs Zone, 60 Rajaji Salai,
Customs House, Chennai – 600 001.

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ABDUL QUDDHOSE, J.

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