

(2011) 02 MAD CK 0184

In the Madras High Court

Case No : Writ Petition No. 2389 of 2011 and M.P. No. 1 of 2011

Jai Bhawani Traders

APPELLANT

Vs

The Commissioner of Customs (Seaport-Exports), The
Additional Commissioner of Customs, (Group-7B) and The
Director General of Foreign Trade and Ex-Officio, Additional
Secretary to Government of India, Ministry of Commerce and
Industry, Department of Commerce

RESPONDENT

Date of Decision : 02-02-2011

Acts Referred:

Citation : (2011) 02 MAD CK 0184

Hon'ble Judges : M. Jaichandren, J

Bench : Single Bench

Advocate : P. Jagadeesan, for the Appellant; T.R. Senthilkumar, for R1 and R2
and P. Mahadevan, CGSC for R3, for the Respondent

Judgement

M. Jaichandren, J.—Heard the learned Counsel appearing for the Petitioner and the learned Counsel appearing for the Respondents 1 and

2, as well as the learned Counsel appearing for the 3rd Respondent.

2. The learned Counsels appearing for both sides had submitted that the issue involved in this writ petition is covered by the judgment of this Court,

dated 2.12.2010, in W.P. No. 26964 of 2010, wherein, this Court, following the earlier order passed by the Division Bench of this Court, dated

21.10.2009, made in The Commissioner of Customs (Imports), Seaport, Chennai and Anr. v. Polycraft Exports (P) Ltd., and Anr. W.A. No.

1508 of 2009 had directed the Petitioner to deposit 25% of the enhanced value, apart from paying the applicable rate of duty on the enhanced

value. On complying with the above said conditions, the Respondents are directed to release the goods, with liberty to the Respondents to

proceed further, in accordance with law.

3. Hence, following the order passed by this Court, on 2.12.2010, in W.P. No. 26964 of 2010, the writ petition is disposed of, directing the

Petitioner to deposit 25% of the enhanced value, apart from paying the applicable rate of duty on the enhanced value. On complying with the

above said conditions, the Respondents are directed to release the goods, with liberty to the Respondents to proceed further, in accordance with

law. No costs. Consequently, connected miscellaneous petition is closed.