

(2011) 02 MAD CK 0308

In the Madras High Court

Case No : Writ Petition No. 2535 of 2011 and M.P. No. 1 of 2011

NHC Enterprises

APPELLANT

Vs

The Commissioner of Customs (Seaport-Exports), The
Additional Commissioner of Customs 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 : 03-02-2011

Acts Referred:

Citation : (2011) 02 MAD CK 0308

Hon'ble Judges : M. Jaichandren, J

Bench : Single Bench

Advocate : A.K. Jayaraj, for the Appellant; T.R. Senthilkumar, for R1 and R2 and
P. Mahadevn, 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 dated 21.10.2009, made in W.A. No. 1508 of 2009 The Commissioner of Customs (Imports), Seaport, Chennai and Anr. v. Polycraft Exports (P) Ltd. and Anr., 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.