

(2011) 01 MAD CK 0173
In the Madras High Court
Case No : Writ Petition No. 310 of 2011

Sunitha Logistics

APPELLANT

Vs

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

RESPONDENT

Date of Decision : 07-01-2011

Acts Referred:

Citation : (2011) 01 MAD CK 0173

Hon'ble Judges : M. Jaichandren, J

Bench : Single Bench

Advocate : P. Jagadeesan, for the Appellant; T.R. Senthilkumar, for Respondent 1 and 2 and R. Atchuthen, for Respondent 3, 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 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

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

law. No costs. Connected M.P. No. 1 of 2011 is closed.