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W.P. No.9338 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.07.2025

CORAM

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P. No.9338 of 2025

M/s. Star Agro Farms,
Represented by Viswanathan,
No.58-A, 2nd Main Road,
Veeraraghavalu Nagar, Vinayagapuram,
Kolathur, Chennai - 600 099.

... Petitioner

Vs.

1. The Commissioner of Customs (IMPORTS),
Office of the Commissioner of Customs (IMPORTS),
O/o. The Commissioner of Customs, Chennai - IV,
Custom House,
No.60, Rajaji Salai,
Chennai - 600 001.

2. The Assistant / Deputy Commissioner of Customs (Group - 1B),
O/o. The Commissioner of Customs, Chennai - IV,
Custom House,
No.60, Rajaji Salai,
Chennai - 600 001.

... Respondents

ORDER

Learned counsel representing the standing counsel for the respondents would submit that the standing counsel has some personal inconvenience today and therefore, he is unable to argue the matter. Pleadings are complete



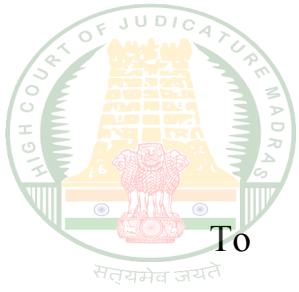
in this writ petition.

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2. The learned counsel for the petitioner submits that the petitioner is seeking for provisional release under the Customs Act. He would submit that the goods are perishable in nature and without passing a seizure order, the goods are still in custody of the respondents. According to him, the goods are only detained. He also relies upon a Division Bench Judgment of the Bombay High Court in the case of ***Exim Incorporation (Through its Proprietor-Gaurav Gupta) Vs. Union of India and Others*** dated 09.12.2020 passed in W.P.No.1898 of 2020 and would submit that in the said case the Bombay High Court held that if the goods have been detained for more than six months and if no further proceedings have been taken by the Customs Department, the goods have to be provisionally released.

3. Since the learned Standing counsel appearing for the respondents is not ready today, post the matter finally for arguments on 25.07.2025.

11.07.2025



W.P. No.9338 of 2022

To

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Office of the Commissioner of Customs (IMPORTS),
O/o. The Commissioner of Customs, Chennai - IV,
Custom House,
No.60, Rajaji Salai,
Chennai - 600 001.

2. The Assistant / Deputy Commissioner of Customs (Group - 1B),
O/o. The Commissioner of Customs, Chennai - IV,
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ABDUL QUDDHOSE. J.,

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