



WEB COPY

WP No. 25480 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01-08-2025

CORAM

THE HON'BLE MR JUSTICE ABDUL QUDDHOSE

WP No. 25480 of 2025

and

WP No.39314 of 2024

and

WMP Nos.28636, 28638, 42567 and 42568 of 2024

M/s. B S M Logistics
(cb No.R-445/ Cha And Pan No.Aasfb4638h) Rep.
By Its Partner N.Kamaleshwaran, No.7, V O C
Street, Meenambakkam, Chennai-600 027. Presently
At No.7, Kamarajar Street, Meenambakkam,
Chennai-600 027.

..Petitioner(s)

Vs

1. The Commissioner Of Customs (general)
(general Administration Commission rate)
Chennai Customs Zone, Custom House, No.60,
Rajaji Salai, Chennai-600 001.
2. The Inquiry Officer
Assistant / Deputy Commissioner Of Customs,
Custom House, No.60, Rajaji Salai, Chennai-
600 001.

..Respondent(s)

Call for the entire records of the 1st respondent herein leading to
the issuance of the impugned order-in-original No.113741/ 2025 in GEN/ CB/
ACTN/ 60/ 2024-CBS, DIN-20250673MV0000665607, dated 27.06.2025 under



Regulation 14 read with Regulation 17 and 18 of Customs Brokers Licensing Regulations, 2018 by the 1st respondent and quash the same as illegal, arbitrary, unfair, unreasonable perverse and in clear abuse of process of law and has been violation of principles of natural justice

For Petitioner(s): A.K. Jayaraj
K.Chozhan
J.Subash
Hakshara Shree.J

For Respondent(s): M/s.J.Harikrishna For R1 And R2 Memo
Dt.25/07/2025

ORDER

The petitioner has challenged the impugned order in original for the following reasons:

(a) The Customs Brokers Licensing Regulations, 2018 are mandatory in nature, which have to be strictly followed. However, in the impugned order-in-original, the respondents have held the same to be directory by following a decision of Karnataka High Court. However, the Division Bench of this Court has held that the Customs Brokers Licensing Regulations are mandatory in nature.

(b) The time lines fixed under the Customs Brokers Licensing Regulations have to be strictly followed by the respondents. However, according to the petitioner, the same has not been followed. The time lines fixed



under the Regulation 17(5) of the Customs Brokers Licensing Regulations has not been adhered to by the respondents.

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(c) The requests for cross-examination of witnesses made by the petitioner has not been granted by the respondents, which amounts to violation of principles of natural justice.

(d) The documents relied upon by the respondents for passing the impugned order-in-original have not been furnished to the petitioner.

2. On the last hearing date, i.e., on 11.07.2025, that if the counter is not filed by the respondents on the next hearing date, this Court shall consider the writ miscellaneous petitions filed by the petitioner, seeking for interim stay on the next hearing date.

3. The learned standing counsel appearing for the respondents seeks further time to file counter. Hence, there shall be an order of interim stay of the impugned order till the next hearing date.

4. Post the matter for counter and disposal on 04.09.2025.

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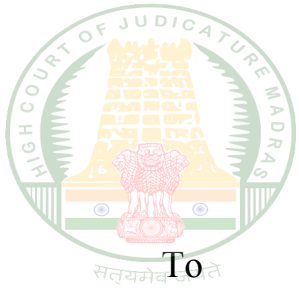


ABDUL QUDDHOSE, J.

AB

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To

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(general Administration Commissionrate)
Chennai Customs Zone, Custom House, No.60,
Rajaji Salai, Chennai-600 001.
2. The Inquiry Officer
Assistant / Deputy Commissioner Of Customs,
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