IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-07-2026

CORAM

THE HON'BLE MR.JUSTICE HEMANT CHANDANGOUDAR

WP No. 21374 of 2026
and
WMP No.23143 of 2026

M/s. Prakruthi Traders
2nd Floor, No 1, office No 2 (B)
A.N. P Tower, Krishnan Koil Street,
Parrys, Chennai 600 001
Rep by its managing Partner,
Shri. R. Rakesh

..Petitioner(s)

Vs

1. The Commissioner of Customs (Imports)
   Chennai II Commissionerate,
   Customs House
   60, Rajaji Salai,
   Chennai 600 001
2. The Deputy Commissioner of customs
   Group (IB) (Imports)
   Customs House
   60, Rajaji Salai,
   Chennai 600 001

..Respondent(s)

PRAYER : Writ petition filed under Section 227 of the Constitution of India to issue Writ of Mandamus, directing the respondents herein to assess and clear consignment of roasted areca nut - split, covered under Bill of Entry No. 7013396 dated 21.1.2026 filed with the office of the respondents, treating it classifiable under CTH 20081991, expeditiously on the strength of the report of the Authorized officer of the Food Safety and Standards Authority of India in NOC No. FICS - CHN - CUS - GEN- 2026 -27- 006 dated 21.5.2026.

For Petitioner(s): Mr.B.Satish Sundar
For Respondent(s): M/s. Sai Srujan Tayi,
Senior Counsel for GST and Customs

ORDER

The petitioner has filed the present writ petition seeking a direction to the respondents to assess and clear the consignment of roasted areca nut splits covered under Bill of Entry No.7013396 dated 21.01.2026 by classifying the goods under Customs Tariff Heading (CTH) 2008 19 91, on the strength of the report issued by the authorized officer of the Food Safety and Standards Authority of India (FSSAI) dated 21.05.2026.

2. The petitioner is engaged in the business of import, export and sale of spices, condiments and food products. In the ordinary course of business, the petitioner imported 27 metric tonnes of roasted areca nut splits from an Indonesian supplier, M/s. PT Vipul Jaya Lestari. On arrival of the goods at Chennai Port, the petitioner filed Bill of Entry No.7013396 dated 21.01.2026 claiming classification under CTH 2008 19 91 and the benefit of the applicable preferential trade agreement, contending that the imported goods were roasted areca nuts having a moisture content below the prescribed limit.

3. The respondents detained the consignment and forwarded samples to the Central Revenue Control Laboratory (CRCL), New Delhi, for

analysis. The CRCL, by its report dated 24.03.2026, opined that the samples were raw areca nuts and recorded the moisture content as more than 5%.

4. Thereafter, the Food Safety and Standards Authority of India (FSSAI), through its authorised officer, issued a No Objection Certificate dated 21.05.2026 permitting clearance of the imported food product after certifying that it conformed to the standards prescribed under the Food Safety and Standards Act, 2006 and the Rules and Regulations framed thereunder.

5. The samples were also analysed by M/s. Interstellar Testing Centre Pvt. Ltd., an FSSAI-notified accredited laboratory. In its report dated 20.05.2026, the laboratory found that the moisture content of the samples was 5.89% and certified that the roasted areca nuts satisfied the standards prescribed under Regulation 2.3.55 and Food Category No.4.1.2.2 of the Food Safety and Standards (Food Products Standards and Food Additives) Regulations, 2011, as well as the Food Safety and Standards (Contaminants, Toxins and Residues) Regulations, 2011.

6. Learned counsel for the petitioner submitted that the laboratory reports clearly establish that the moisture content of the imported goods is below 10% and, therefore, the goods are liable to be assessed as roasted areca nuts under Chapter 20 of the Customs Tariff Act, 1975. In support of the

submission, reliance was placed on the judgment of the Division Bench of this Court in C.M.A. No.600 of 2023 and in W.A. Nos.3647 and 3648 of 2024, decided on 04.03.2025.

7. Learned counsel for the respondents submitted that the laboratory reports are not conclusive and that the issue of proper classification is the subject matter of adjudication under Section 28 of the Customs Act. It was therefore contended that the petitioner cannot claim the benefit of classification under Chapter 20 or seek release of the goods pending adjudication.

8. I have considered the rival submissions. The factual aspects stated above are not in dispute and are therefore not repeated.

9. The Division Bench of this Court, in W.A. Nos.3647 and 3648 of 2024, while dealing with a similar issue arising out of an Advance Ruling, held that roasted areca nuts having a moisture content below 10% cannot be treated as raw areca nuts. The Division Bench observed that, in terms of the parameters laid down by the Authority for Advance Rulings, areca nuts having moisture content between 10% and 15% would be treated as raw areca nuts, whereas goods having moisture content below 10% would be treated as roasted areca nuts. The said decision has attained finality.

10. This Court had also considered an identical issue in W.P. No.39 of 2023, decided on 09.07.2026. The relevant observations are extracted below:

*"**15.** Section 28J of the Customs Act, 1962 provides as follows:*

28J. Applicability of Advance Ruling

(1) The advance ruling pronounced by the Authority under Section 28-I shall be binding only—

(a) on the applicant who had sought it;

(b) in respect of any matter referred to in sub-section (2) of Section 28-H;

(c) on the Commissioner of Customs and the customs authorities subordinate to him, in respect of the applicant.

(2) The advance ruling referred to in sub-section (1) shall continue to be binding unless there is a change in the law or in the facts on the basis of which the advance ruling was pronounced.

***16.** Section 28J of the Customs Act is pari materia with Section 245S of the Income-tax Act, 1961. Therefore, the principles laid down by the Hon'ble Supreme Court while interpreting Section 245S would equally apply to Section 28J. Though an Advance Ruling is binding only on the applicant and the jurisdictional customs authorities, the legal principles contained therein have persuasive value and ought to be followed in subsequent cases unless there is a distinguishing feature or a change in law.*

***17.** In the light of the above principle, the respondent ought to have followed the reasoning contained in the Advance Ruling. The respondent merely relied upon the conclusion allegedly reached by the Directorate of Revenue Intelligence that the goods were currants and not raisins. However, no DRI report was produced, nor* *was any laboratory test conducted by the respondents to establish the same.*

***18.** The petitioner had produced statutory certificates and the Advance Ruling to establish entitlement to exemption. The adjudicating authority failed to consider these materials and passed the impugned order solely on the basis of an unsubstantiated DRI investigation. The order was therefore held to be unsustainable.*

***19.** Accordingly, the writ petition was allowed and the impugned order was set aside."*

11. The records placed before this Court show that the moisture content of the imported roasted areca nuts is below 10%. At this stage, the petitioner has therefore established a strong prima facie case for provisional release of the goods. However, the larger issue regarding the correct classification of the goods under Chapter 8 or Chapter 20 of the Customs Tariff Act, 1975 will have to be decided under Section 28 of the Customs Act by the adjudicating authority on its own merits.

12. In the above circumstances, the writ petition is allowed. The second respondent is directed to provisionally release the consignment of roasted areca nut splits covered under Bill of Entry No.7013396 dated 21.01.2026 within a period of one (1) week from the date of receipt of a copy of this order, subject to the petitioner executing an indemnity bond for the full value of the goods to the satisfaction of the second respondent.

13. It is made clear that the provisional release of the goods shall be subject to the final outcome of the adjudication proceedings to be initiated under Section 28 of the Customs Act, 1962. The observations made in this order are confined only to the issue of provisional release and shall not influence the adjudicating authority while deciding the proceedings on merits.

Consequently, the connected miscellaneous petitions are closed. There shall be no order as to costs.

28-07-2026

VCA
Index: Yes/No
Neutral Citation : Yes/No

Note: Issue order copy on 29.07.2026.

To

1. The Commissioner of Customs (Imports)
   Chennai II Commissionerate,
   Customs House
   60, Rajaji Salai,
   Chennai 600 001
2. The Deputy Commissioner of customs
   Group (IB) (Imports)
   Customs House
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HEMANT CHANDANGOUDAR, J.

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