



WEB COPY

WP No. 3792 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-02-2026

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THE HONOURABLE MR JUSTICE ABDUL QUDDHOSE

WP No. 3792 of 2026

AND

WMP NO. 4212 OF 2026, WMP NO. 4214 OF 2026

1. Rajkiran Kannan

Petitioner(s)

Vs

1. The Principal Commissioner of
Customs
chennai I commissionerate, Anna
international Airport, New Custom
House, Meenambakkam, Chennai 27

2. The Additional commissioner of
Customs
chennai I Airport commissionerate,
Room No. 101, 1st floor, New Custom
House, Meenambakkam, Chennai 27

Respondent(s)

PRAYER

Calling for records in and connected with decision in F.No. DRI/ CZU/ VIII/ 48/ ENQ -1/ INT- 52/ 2022 dated 2.01.2026 quash the same and further direct the 2nd respondent to keep the adjudication of Show Cause Notice in F.No. DRI/ CZU/ VIII/ 48/ ENQ- 01/ INT-52 / 2022 dated 2.01.2026 in abeyance and in call book pending the appeal of the petitioner under Section 128 of the Customs Act 1962 filed before the Commissioner of customs (Appeals) Chennai against the decision of the 2nd respondent dated 3.11.2025

For Petitioner(s): B.Satishsundar

For Respondent: Mr. Nalinidhar T
Standing Counsel



ORDER

This writ petition has been filed challenging the impugned order rejecting the petitioner's request for cross-examination of the witnesses.

2. Admittedly, even according to the petitioner, the impugned order is a speaking order. Only pursuant to the directions issued by this Court in the earlier writ petition filed by the very same petitioner, the application seeking permission to cross-examine the witness was considered under the impugned order. Since the impugned order is a speaking order, this Court expressed its view that the same cannot be challenged through a writ petition. The petitioner claims that the petitioner has already filed an appeal as against the impugned order before the Commissioner of Customs (Appeals), Chennai.

3. The learned counsel for the petitioner has now made an endorsement in the court bundle stating that a direction may be issued to the Commissioner of Customs (Appeals), Chennai, to dispose of the appeal filed as against the impugned order, within a time frame to be fixed by this Court.

4. Necessarily, the Commissioner of Customs (Appeals), Chennai, has to dispose of the petitioner's appeal one way or the other. No prejudice will be caused to the Commissioner of Customs (Appeals), Chennai, if a direction is issued to them to dispose of the petitioner's appeal, within a time frame to be



fixed by this Court. Accordingly, without expressing any opinion on the merits of the petitioner's appeal, this Court directs the Commissioner of Customs (Appeals), Chennai, to dispose of the petitioner's appeal within a period of four weeks from the date of receipt of a copy of this order. However, this Court is not expressing any opinion on the maintainability of the petitioner's appeal, and it is left open for the Commissioner of Customs (Appeals), Chennai, to decide the question of maintainability of the appeal filed by the petitioner in accordance with law. With the aforesaid directions, this writ petition is disposed of. No Costs. Consequently, connected writ miscellaneous petitions are closed.

12-02-2026

Index: Yes/No
Speaking/Non-speaking order
Internet: Yes
Neutral Citation: Yes/No
ab

To

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ABDUL QUDDHOSE J.

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