



WEB COPY

WP No. 1911 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-01-2026

CORAM

THE HON'BLE MR JUSTICE ABDUL QUDDHOSE

WP No. 1911 of 2026

G.Indraprasath

..Petitioner(s)

Vs

1. The Principal Commissioner of Customs
chennai I Commissionerate,
Anna International Airport,
Meenambakka,
Chennai 600 027
2. The Additional Commissioner of Customs
Chennai Airport commissionerate,
Room no 101 1st Floor
New Custom House, Meenambakakm,
chennai 600 027

..Respondent(s)

Writ petition is filed under Article 226 of the Constitution of India seeking for issuance of writ of certiorarified mandamus to call for the records in and connected with decision in f. no DRI / CZU / VIII / 48/ ENQ -1/ INT - 52/ 2022 dated 02.01.2026 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 24.11.2023 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 03.11.2025



For Petitioner(s): Mr.S.Sharavan Kochar

For Respondent(s): Mr.J.Vasu, JPC

ORDER

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

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 in 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. W.M.P.No.2009 of 2026 is ordered. W.M.P.No.2012 of 2026 is closed.

29-01-2026

Neutral Citation: Yes/No

RKM

To

1. The Principal Commissioner of Customs
chennai I Commissionerate,
Anna International Airport,
New Custom House, Meenambakka,
Chennai 600 027
2. The additional commissioner of customs
Chennai Airport commissionerate,



New Custom House, Meenambakam,
chennai 600 027

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ABDUL QUDDHOSE, J.

RKM

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