



IN THE HIGH Court OF JUDICATURE AT MADRAS

DATED: 13.08.2019

WEB COPY

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.Nos.5534 and 5535 of 2016
and

M.P.Nos.4875, 4876 and 4877 of 2016

W.P.No.5534 of 2016

1.M/s.High Regards International,
No.94, Sydenhams Road,
Periamet, Chennai-600018,
represented by its Partner,
Shri Vijay G. Budhrani

2.Shri mahesh Budhrani,
Partner, M/s.High Regards International,
No.94, Sydenhams Road,
Periamet, Chennai-600 018.

3.Shri Vijay Budhrani, Partner,
M/s.High Regards International,
No.94, Sydenhams Road,
Periamet, Chennai- 600 018.

.. Petitioners

Vs.

1.The Commissioner of Customs,
Chennai II Commissionerate,
Custom House,
No.60, Rajaji Salai,
Chennai- 600 001.

2.The Additional Director General,
Directorate of Revenue Intelligence,
Ministry of Finance,
Department of Revenue,
Government of India, Zonal Unit,
25, Gopalakrishna Iyer Street,
T.Nagar, Chennai- 600 017.

... Respondents



PRAYER : Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for the records of the first respondent pertaining to the communication in F.No.CAU/DRI/CHE/18/2014 dated 08.01.2016, quash the same and forbear the first respondent from proceeding with the Adjudication proceedings pending before it, without affording, the petitioners the facility of cross examination of the persons sought for and giving adequate and reasonable opportunity in such proceedings.

W.P.No.5535 of 2016

1.M/s.Shahi Foods, 52, Ankur Plaza,
G.N.Chetty Road, T.Nagar,
Chennai-600 017,
represented by its Partner
Shri Vijay G.Budhrani.

2.Shri Mahesh Budhrani, Partner,
Shahi Foods, 52, Ankur Plaza,
G.N.Chetty Road, T.Nagar,
Chennai-600 017.

3.Shri Vijay Budhrani M/s.Shahi Foods,
52, Ankur Plaza, G.N.Chetty Road,
T.Nagar, Chennai- 600 017.

.. Petitioners

Vs.

1.The Commissioner of Customs,
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No.60, Rajaji Salai,
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Directorate of Revenue Intelligence,
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PRAYER : Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for the records of the first respondent pertaining to F.No.CAU/DRI/CHE/18/2014 dated 08.01.2016, quash the same and forbear the first respondent from proceeding with the



Adjudication proceedings pending before it, without affording, the petitioners the facility of cross examination of the persons sought for and giving adequate and reasonable opportunity in such proceedings.

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For Petitioner : Mr.B.Satish Sundar
For R1 and R2 : Mr.V.Sundareswaran
Senior Standing Counsel
(in both writ petitions)

COMMON ORDER

It is stated that final orders have been passed in the proceedings which was pending before the first respondent, in which connection, the present writ petition has been filed seeking for permission to cross examine the witnesses. The final orders are also under challenge before this Court in W.P.Nos.30375 to 30377 of 2016. As such no effective orders can be passed in the present writ petition.

2.Accordingly, this writ petition is closed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

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To

1.The Commissioner of Customs
Chennai II Commissionerate,
Customs House, No.60 Rajaji Salai
Chennai 1

2.The Additional Director General,
Directorate of Revenue Intelligence,
Ministry of Finance,
Department of Revenue,
Government of India,
Zonal Unit, 25 Gopalakrishna Iyer street,
T.Nagar, Chennai-17

SS(CO)

CB(20/09/2019)

W.P.Nos.5534 and 5535 of 2016

and

M.P.Nos.4875, 4876 and 4877 of 2016