

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.02.2021

CORAM:

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.No.25037 of 2016  
and  
W.M.P.No.21467 of 2016

Shri Seeni Ismath Khan

... Petitioner

Vs.

1.The Principal Commissioner of Customs (I),  
New Customs House, GST Road,  
Meenambakkam,  
Chennai - 600 027.

2.The Additional Commissioner of Customs (Airport),  
Anna International Airport,  
New Customs House, GST Road,  
Meenambakkam, Chennai - 27.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of Writ of Mandamus, to direct the respondents herein to cause implementation of the order of the Commissioner of Customs (Appeal - I) in Order-in-Appeal C.Cus. - I No.702/2015 dated 30.10.2015 by releasing Saudi Riyals (120 Nos. X 500) valued at Rs.10,19,400/- and EURO (20 Nos. X 500) valued at Rs.7,13,800/- totally valued at Rs.17,33,200/- on payment of redemption fine of Rs.3,00,000/- and personal penalty of Rs.1,00,000/- and such other conditions which may be imposed.

For Petitioner : Mr.B.Satish Sundar

For Respondents : Mrs.R.Hemalatha

Senior Standing Counsel

O R D E R

Heard the learned counsel for the Petitioner and the learned counsel for the Respondents.

2.I have considered the order passed by the Revisionary Authority on 19.12.2018 which has been furnished by the learned

counsel for the respondent Customs Department. Since an order has been passed against the order which is sought to be implemented in the present writ petition, nothing survives for adjudication in the present writ petition. Therefore, this Writ Petition is liable to be dismissed as infructuous. At the same time, liberty is given to the petitioner to challenge the order dated 19.12.2018 bearing reference in F.No.380/59/B/16-RA/2242 in accordance with law within a period of 30 days of receipt of this order. If such proceedings are initiated within such time, the Authority shall dispose the same on merits.

3. Accordingly, this Writ Petition stands dismissed as infructuous. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS.VIII)

/True Copy/

Sub Assistant Registrar

To

1. The Principal Commissioner of Customs (I),  
New Customs House, GST Road,  
Meenambakkam,  
Chennai - 600 027.
2. The Additional Commissioner of Customs (Airport),  
Anna International Airport,  
New Customs House, GST Road,  
Meenambakkam, Chennai - 27.

+1cc to M/s.R.Hemalatha, Advocate SR.No.9568

AKM/09.03.21 /2P-4C/

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