



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.09.2021

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THE HON'BLE Mr.JUSTICE M.SUNDAR

W.P.No.19449 of 2021

and

W.M.P.No.20741 of 2021

Rayavarapu Sri Devi
Wife of E.Subramaniam

...Petitioner

-Vs.-

1.The Principal Commissioner of Customs (Adjudication-Air),
Chennai I Commissionerate,
New Custom House,
Meenambakkam,
Chennai 600 027.

2.The Joint Commissioner of Customs (Adjudication-Air),
Chennai I Commissionerate,
New Custom House,
Meenambakkam,
Chennai 600 027.

3.Office of the Principal Commissioner (RA) &
Ex-Officio Additional Secretary to the Government of India,
8th Floor, Centre-1, World Trade Centre,
Cuffe Parade,
Mumbai 400 005.

...Respondents

(3rd respondent is suo-motu impleaded by this Court vide this order dated 17.09.2021 in captioned W.P.No.19449 of 2021)

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the 2nd Respondent to implement the Order-in-Appeal Airport.Cus.I.No.206/2020 dated 20.08.2020 passed by the Commissioner of Customs (Appeals), Chennai.

For Petitioner : Mr.Hari Radhakrishnan

For Respondents : Mr.H.Siddarth,
Junior Panel Counsel



8. Learned counsel for writ petitioner, in response to this, submitted that no stay has been granted and unless the stay petition is decided one way or the other, the dead lock cannot be resolved. The stay petition is pending before the Revisional Authority (third respondent) is the common say of both sides.

9. Third respondent is directed to dispose of the stay petition as expeditiously as his business would permit and in any event, within three weeks from today i.e., on or before 08.10.2021 on its own merits and in accordance with law. Though obvious, it is made clear that this Court has not expressed any opinion or view on the merits of the matter in this order.

10. Captioned Writ Petition and Writ Miscellaneous Petitions are disposed of, with the above directives to the impleaded third respondent.

11. Registry to ensure that necessary and consequential amendments in the case file (owing to suo-motu impleading of third respondent) are carried out before issue of order copy and uploading of this order in the website. A copy of this order shall also be sent to the impleaded third respondent forthwith by the Registry. This course is adopted as this order does not in any way prejudice third respondent as it only directs that the disposal of stay petition be expedited. There shall be no order as to costs.

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

mk

To

1. The Principal Commissioner of Customs (Adjudication-Air),
Chennai I Commissionerate,
New Custom House,
Meenambakkam,
Chennai 600 027.
2. The Joint Commissioner of Customs (Adjudication-Air),
Chennai I Commissionerate,
New Custom House,
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3. Office of the Principal Commissioner (RA) &
Ex-Officio Additional Secretary to
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+1 cc to M/s.Hari Radhakrishnan,Advocate Sr.No.47961

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AJS[co]
NSK 11/10/2021