BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 15.03.2021
CORAM
THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
W.P(MD)No.3028 of 2021
and
W.M.P.(MD)No.2424 of 2021

R.Raguraja ... Petitioner

Vs.

1.Union of India, represented by
The Chairman,
Central Board of Indirect Taxes and Customs (CBIC),
Ministry of Finance, Department of Revenue,
North Block, New Delhi 110 001.

2.The Chief Commissioner of Customs,
No.1, Williams Road, Melapudur,
Cantonment, Tiruchirapalli-620 001.

3.The Commissioner of Customs,
No.1, Williams Road, Melapudur,
Cantonment, Tiruchirapalli-620 001.

4.N.Jothi Gangadharan,
The Superintendent of Customs,
Office of the Deputy Commissioner of Customs,
Air Intelligence Unit, Airport, Trichy.

5.Dhayanandhan,
The Joint Commissioner of Customs,
Air Intelligence Unit,
Airport, Trichy. ... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents to expeditiously complete the proceedings regarding the vacation of the seizure effected on his gold chains on the basis of the representation submitted by the petitioner dated 21.01.2021 in accordance with law within the time stipulated by this Court.

For Petitioner : Mr.Alagumani.R

For Respondents : Mr.V.Malaiyendiran,
Central Govt. Standing Counsel for R1,
Mr.B.Vijay Karthikeyan for R2 & R3

ORDER

Heard the learned counsel for the writ petitioner and the learned standing counsel for the respondents 1 to 3.

2.Even though the learned standing counsel would rightly draw my attention to the averments and also the prayer made by the writ petition that may warrant filing of written response, I am of the view that considering the final relief sought for by the writ petitioner, the writ petition can be disposed of right now. I make it clear that the petitioner's counsel on instructions had also clarified that he would be satisfied, if the petition mentioned proceedings are finalized. Therefore, without going into any other aspect and without making any pronouncement on the other contentious issues raised in the writ petition, the adjudicating authority is directed to complete the enquiry proceedings and pass final orders in the matter within a period of eight weeks from the date of receipt of a copy of this order. I make it clear that the only relief granted in the writ petition is for expediting the proceedings. No positive direction has been given to decide the issue one way or the other.

3.I also make it clear that non filing of counter by the respondents named in person cannot be construed against them. This is because, even though request for filing counter was sought by the learned standing counsel, it is this Court that has chosen to dispose of the writ petition.

4.The writ petition is disposed of on these terms. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Ias

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

The Chairman,
Central Board of Indirect Taxes and Customs (CBIC),
Ministry of Finance, Department of Revenue,
North Block, New Delhi 110 001.

+1 CC to M/s.R.ALAGUMANI, Advocate (SR-11721[F] dated 17/03/2021)

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