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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.11.2022

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**THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ**

W.P(MD).No.25498 of 2022

and

W.M.P(MD).No.19587 of 2022

I.Najeema Begam

... Petitioner

**Vs.**

1.The Principal Commissioner(RA),  
Ex.Officio Additional Secretary  
to the Government of India,  
8<sup>th</sup> Floor, Centre-1,  
World Trade Centre,  
Cuffe Parade,  
Mumbai-400 005.

2.The Assistant Commissioner of Customs,  
Madurai International Airport,  
Madurai.

...Respondents

**Prayer** : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 1<sup>st</sup> Respondent herein to dispose of the pending Revision Application F.No.373/65/B/2019-RA, on merits filed along with condonation delay petition within a reasonable time as fixed by this Court after due opportunity to the Petitioner herein.



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For Petitioner : M/s.A.Aritha Fathima  
For Mr.A.K.Jayaraj  
For Respondents : Mr.R.Nandha Kumar  
Standing Counsel

### **ORDER**

The writ petition is filed praying for a writ of Mandamus to direct the 1<sup>st</sup> Respondent herein to dispose of the pending Revision Application F.No. 373/65/B/2019-RA, on merits filed along with condonation delay petition.

2. Mr.R.Nandha Kumar, learned Standing Counsel takes notice for the Respondents.

3. On 15.11.2017, the Petitioner had arrived at Madurai Airport from Dubai. The Customs Officers directed the Petitioner to remove the gold chain, which was worn by her and seized the same. The Customs Officers prepared a statement, got signature from the Petitioner and refused to return the gold chain accusing that the Petitioner had attempted to smuggle the gold chain for monetary consideration. Thereafter, the 2<sup>nd</sup> Respondent had passed an order, dated 15.11.2017 to confiscate the gold chain and impose penalty of Rs.10,000/- to the Petitioner. Against which, the Petitioner preferred an appeal before the Commissioner of Customs (Appeals) and the same was rejected. Aggrieved by the order of the Commissioner of Customs (Appeals), the



Petitioner filed a revision petition along with condonation delay petition for condoning the delay of 135 days in filing the revision petition. The revision petitioner was registered and numbered as F.No.373/65/B/2019-RA. However, till date, the 1<sup>st</sup> Respondent has not taken any decision in the revision petition filed by the Petitioner. Hence, the present Writ Petition has been filed.

4. It is submitted by the learned Standing Counsel for the Respondents that the Respondents shall endeavour to dispose of the revision petition on merits and in accordance with law.

5. Heard the learned counsel appearing for the parties and perused the materials placed before this Court.

6. In view of the same and taking into consideration the facts and circumstances of the case and the limited relief sought for in this Writ Petition, 1<sup>st</sup> Respondent is directed to take steps and endeavour to dispose of the Revision Petition filed by the Petitioner on merits and in accordance with law, within a period of four months from the date of receipt of copy of this order.



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7. With the above direction, the Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

**10.11.2022**

Index : Yes / No  
Internet : Yes/ No  
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To

- 1.The Principal Commissioner(RA),  
Ex.Officio Additional Secretary  
to the Government of India,  
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**MOHAMMED SHAFFIQ, J.**

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