



W.P.(MD)No.6546 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 18.03.2024

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.6546 of 2024

and

W.M.P.(MD)Nos.6121 and 6122 of 2024

Kamalakannan

... Petitioner

versus

1. The Additional Commissioner of
Customs (Preventive),
Office of the Commissioner of
Customs (Preventive),
No.1, William Road,
Cantonment,
Tiruchirappalli.

... Respondent

Writ Petition filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Certiorari, to call for the records pertaining to the impugned order passed by the respondent in his proceedings C.No.GEN/ADJ/JC/39/2023-ADJN dated 05.01.2024 and the corrigendum order in File No.GEN/ADJ/JC/38/2023-ADJN dated 11.01.2024 and quash the same as illegal.



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For Petitioner : Mr.T.Lenin Kumar

For Respondent : Mr.N.Dilipkumar,
Standing Counsel

ORDER

The order of confiscation dated 05.01.2024 is challenged in this writ petition.

2. The learned Standing Counsel appearing for the respondent submits that the petitioner is having an appeal remedy, however, without exhausting the same, the petitioner has filed this writ petition. According to him, the order of confiscation dated 05.01.2024 was followed by corrigendum order dated 11.01.2024 and the same was served on the petitioner on 18.01.2024. Therefore, the petitioner can very well file an appeal before the appellate authority, within the statutory period of 60 days.

3. Since the petitioner is having an appeal remedy and he has filed this writ petition without exhausting the same, this writ petition is



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disposed of with liberty to the petitioner to file an appeal before the appellate authority, within a period of one week from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petitions are closed.

18.03.2024

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NCC : Yes / No.

Index : Yes / No.

Internet : Yes / No.

Note : Issue order copy on 19.03.2024

To

The Additional Commissioner of Customs (Preventive),
Office of the Commissioner of Customs (Preventive),
No.1, William Road,
Cantonment,
Tiruchirappalli.



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B.PUGALENDHI, J.

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