



WEB COPY

WP No. 15098 of 2022



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-10-2025

CORAM

THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

WP No. 15098 of 2022

Ismath Selema Lebbe
W/o. M.R.Nawfar,
Having permanent residence at
Welpothuwewa, Beoraluwewa,
Sri Lanka, Now Temporary residing at
No.5, New Victory Mansion Lodge,
No. 23/25 Gulam Murthusha Street,
Opp. to D-1 Police Station, Ellis Road,
Chennai - 600 002.

Petitioner(s)

.Vs.

1.The Additional Commissioner of Customs
Airport Commissionerate,
New Customs House, Meenambakkam,
Chennai-27.

2.The Airport Director,
Chennai International Airport,
Airport Authority of India
Chennai - 27.



3.The Commandant,
Central Industrial Security Force, Airport Security
Group (Central), Chennai Airport, Meenambakkam,
Chennai - 27.

(R2, R3 Impleaded vide order dt 27.06.2022 made
in memo dt. 24.06.2022 (USR. 20912/2022) in
WP.15098/2022 by ASMJ)

Respondent(s)

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue
a Writ of Mandamus, directing the 1st Respondent to consider the representation of
the petitioner dated 02.06.2022.

For Petitioner(s): Balaji Sankara Moorthy

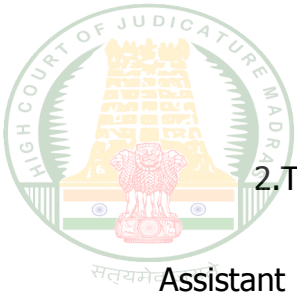
For Respondent(s): Mr.A.P.Srinivas
Senior Standing Counsel for R1

Mrs.Umayal Muthaiah for R2

M/s. R.Rajesh Vivekananthan DSGOI for R3

ORDER

This writ petition has been filed for the issue of a writ of mandamus directing
the 1st respondent to consider the representation made by the petitioner on
02.06.2022 and to take appropriate action against the official viz., the Customs
Officer against whom the petitioner want the action to be initiated.

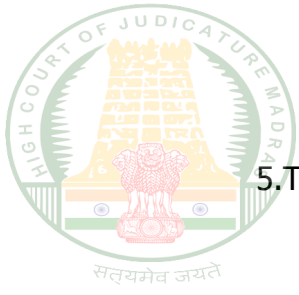


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2.The Assistant Commissioner of Customs has filed a counter affidavit. The Assistant Commissioner has taken a stand that the petitioner was involved in smuggling of 3 Kgs of gold in the 'transit route' as 'gold in paste form'. Hence, a detailed investigation is required.

3.The learned counsel for the petitioner submitted that a false allegation has been made in the counter affidavit only to get over the complaint given by the petitioner. The learned counsel submitted that a customs officer can never get into the regular transit area and stop a passenger.

4.In the considered view of this Court, pursuant to the orders passed by this Court, the CCTV footage has already been preserved and an affidavit to that effect has been filed by the 3rd respondent. In view of the same, if really any gold has been smuggled by the petitioner and proceedings are going to be initiated by the respondent, a show cause notice shall be given and it will be left open to the petitioner to raise all the grounds and it goes without saying that the CCTV footage that has preserved will also form part of the evidence. This Court is inclined to safeguard the right of the petitioner to that extent.



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5. This writ petition is disposed of in the above terms. No costs.

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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Customs
Airport commissionerate, New Customs
House, Meenambakkam, Chennai

2.The Airport Director,
Chennai International Airport, Airport
Authority of India, Chennai - 27.

3.The Commandant,
Central Industrial Security Force, Airport
Security Group (Central), Chennai Airport,
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N.ANAND VENKATESH J.

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