



WEB COPY



W.P.No.35431 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.12.2025

CORAM :

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P.No.35431 of 2023

M/s.Sree Venkateshwara Bullion,
A partnership firm,
Rep. by its Partner Shri.N.S.Balaji,
Old No.116, New No.244,
Tarus Tower, NSC Bose Road,
Sowcarpet, Chennai – 600 079.

... Petitioner

Vs.

1.The Principal Commissioner of Customs,
Air Cargo Complex,
Chennai VI Commissionerate,
New Custom House,
GST Road, Meenambakkam,
Chennai – 600 027.

2.Assistant Commissioner of Customs,
Office of The Principal Commissioner of Customs,
Air Cargo Complex, Chennai VII Commissionerate,
New Custom House,
GST Road, Meenambakkam,
Chennai – 600 027.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the office of the respondents to forthwith cause release of the seized gold bullion weighing 3528.024 grams in terms of the order passed by the CESTAT, South Zonal



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Bench, Chennai under Final Order No.40965 of 2023 dated 31.10.2023 in
Customs Appeal No.40518 of 2022.

For Petitioner : Mr.B.Satish Sundar
For Respondents : Mr.K.Mohanamurali
Senior Panel Counsel

ORDER

This Writ Petition has been filed seeking for release of the seized gold in terms of the order passed by the CESTAT, South Zonal Bench, Chennai under Final Order No.40965 of 2023, dated 31.10.2023 in Customs Appeal No.40518 of 2022.

2. Subsequent to the filing of this writ petition, the Customs Department had filed an appeal as against the aforesaid order passed by the CESTAT, South Zonal Bench, Chennai, in C.M.A.No.157 of 2024 before this Court. It is now represented by both the counsels that the said CMA has been disposed of by this Court on 10.05.2025, by imposing additional conditions on the petitioner for the release of the subject gold. In view of the same, the prayer sought for in this writ petition seeking implementation of the order, dated 31.10.2023 passed by the CESTAT, South Zonal Bench, Chennai does not arise. Hence, the learned counsel for the petitioner seeks liberty for the petitioner to file appropriate



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modification application seeking to modify the order, dated 10.05.2025 passed in C.M.A.No.157 of 2024 for relaxing the conditions imposed in the said order to enable the petitioner to obtain provisional release of the subject gold, which is the subject matter of this writ petition.

3. Accordingly, this Writ Petition is disposed of, by granting the liberty as prayed for by the learned counsel for the petitioner. No costs.

05.12.2025

Index : Yes / No
Speaking order / Non-speaking order
Neutral Citation Case : Yes/No
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To

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ABDUL QUDDHOSE, J.

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