



WEB COPY

WP No.6974 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-03-2026

CORAM

THE HON'BLE MR.JUSTICE MOHAMMED SHAFFIQ

**WP No. 6974 of 2026
and
WMP Nos.7585 and 7586 of 2026**

M/s Sandhya Aqua Exports Private Limited,
MIG-25a, Lawsonsbay Colony,
Near Post Office, Vishakapatnam,
Andhra Pradesh-530 017.

..Petitioner

Vs

1. The Deputy Commissioner of Customs
(BRC-DBK),
O/o. The Commissioner of Customs,
Chennai IV,
Export Commissionerate,
No.60, Rajaji Salai,
Customs House, Chennai- 600 001.
2. The Assistant Commissioner of Customs,
O/o The Commissioner of Customs,
Chennai IV,
No.60, Rajaji Salai, Customs House,
Chennai 600 001.

..Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records pertaining to the impugned exparte order in original No.112385/2025 dated 13.03.2025 passed by the 1st respondent herein and to quash the same, insofar as the said impugned order had been passed without jurisdiction, authority of law and against the various judicial pronouncements and the provisions of Law and also a non-speaking order, which is in clear violation to the principles of natural justice.



For Petitioner : S.Baskaran

For Respondents: Mr.H.Siddarth
Standing Counsel
for R1

ORDER

The present writ petition has been filed challenging the impugned exparte order in original No.112385/2025 dated 13.03.2025 on the short ground that neither show causes notice dated 20.03.2023 nor personal hearings fixed on 06.03.2024, 14.03.2024 and 25.03.2024, were served on petitioner nor intimated to petitioner.

2. To a pointed question to learned Standing Counsel for respondents, whether there is any material to show that show cause notice had been served on petitioner and the personal hearings had been duly intimated in terms of Section 153 of the Customs Act to petitioner, he would submit that there is no material to support, while asserting that show cause notice was in fact served and personal hearings were in fact intimated.

3. Heard the counsels and perused the materials available on record.

4. In the absence of any material to demonstrate that notices were actually served as was sought to be asserted, this Court is inclined to dispose of writ



petition with following directions:

- i) Impugned order dated 13.03.2025 is set aside;
- ii) Petitioner shall treat the impugned order as a show cause notice and submit his reply/objection before the adjudicating authority, within a period of two weeks from the date of receipt of a copy of this order;
- iii) The adjudicating authority shall proceed to pass final orders, in accordance with law, within a period of four weeks thereafter, after affording petitioner an opportunity of hearing.

5. Accordingly, the writ petition stands disposed of. There will be no order as to costs. Consequently, connected miscellaneous petitions are closed.

25-03-2026

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



To

1. The Deputy Commissioner of Customs
(BRC-DBK)

O/o The Commissioner of Customs,
Chennai IV,
Export Commissionerate, No 60,
Rajaji Salai,
Customs House, Chennai 600 001.

2. The Assistant Commissioner of Customs,
O/o The commissioner of Customs,
Chennai IV,
No.60, Rajaji Salai, Customs House,
Chennai 600 001.



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MOHAMMED SHAFFIQ, J.

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