

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
MONDAY, THE TWENTY EIGHTH DAY OF JULY
TWO THOUSAND AND TWENTY FIVE
:PRESENT:
THE HONOURABLE THE CHIEF JUSTICE APARESH KUMAR SINGH
AND
THE HONOURABLE SRI JUSTICE P.SAM KOSHY
WRIT PETITION NOs: 7483 OF 2025, 21498, 30627 AND 32216 OF 2024

W.P.No.7483 of 2025

Between:

Chitimelli Shankarash, S/o. Chitimelli Prabhakar

...Petitioner

AND

1. The Principal Commissioner of Customs Appeals, O/o. The Principal Commissioner of Customs, GST Bhavan, L.B Stadium Road, Basheerbagh, Hyderabad - 500 004.
2. The Air Customs Superintendent (AIU - C), O/o. The Deputy Commissioner of Customs, Rajiv Gandhi International Airport, Shamshabad, Hyderabad - 500 409.
3. The Assistant Commissioner of Customs (Disposal), O/o. The Principal Commissioner of Customs, GST Bhavan, L B Stadium Road, Basheerbagh, Hyderabad - 500 004.

...Respondents

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a Writ order or direction more particularly one in the nature of Writ of Mandamus declaring action of the respondents in seizing the gold weighing 116.63 grams as illegal arbitrary and unconstitutional and direct the respondents to provisionally release the goods on the payment of applicable duty under Section 110 A of the Customs Act 1962 or on any conditions as directed by this Honorable court.

IA NO: 1 OF 2025

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to direct the Respondents herein to set aside the confiscation notice Dated 19.02.2025 vide intimation bearing No.SG/DISP/12/2025-Cus-Disp, pending disposal of WP.No.7483 of 2025, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and the order of the High Court dated: 17.03.2025 and 30.04.2025 made herein and upon hearing the arguments of M/s. M. KRISHNA CHAITANYA Advocate for the Petitioner, SRI. DUNDU SASHANK learned counsel representing SRI. DOMINIC FERNANDES Advocate for the Respondents,

W.P.No.21498 of 2024

Between:

Madhu Akunoori, S/o. Hanmanthu Akunoori

...Petitioner

AND

1. The Union of India, Rep by its Chairman, Central Board Of Indirect Taxes and Customs, Department of Revenue, Ministry of Finance, Government of India.
2. The Principal Commissioner, Hyderabad Customs Commissionerate, Room No. 808, 7th Floor, GST Bhavan, Hyderabad.
3. The Deputy Commissioner of Customs, Rajiv Gandhi International Airport, Shamshabad, Hyderabad - 500049.
4. The Air Customs Superintendent, Air Intelligence Unit-A, O/o. Deputy Commissioner of Customs, Rajiv Gandhi International Airport, Shamshabad, Hyderabad - 500049.

...Respondents

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a writ order, or direction more particularly one in the nature of writ Mandamus declaring the action of the respondents 3 and 4 in seizing the Two Gold Bars of 24 KT, weighing 233.20, belonging to the petitioner, inspite of petitioner producing Invoice No. HO-5893, dated 11/06/2024 as highly illegal, arbitrary and in violation of Article 21 of the Constitution of the India, apart from violation of the Customs Act, 1962 and consequently direct the respondents to release the seized gold bars, by considering the representation of the petitioner dated 02/07/202;

IA NO: 1 OF 2024

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to direct the respondents to release the Two Gold Bars of 24 KT, weighing 233.20, belonging to the petitioner, by considering the representation of the petitioner dated 02/07/2024, pending disposal of WP.No.21498 of 2024, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and the order of the High Court dated: 09.09.2024, 27.09.2024, 08.11.2024, 14.11.2024, 18.12.2024, 07.01.2025, 18.02.2025, 04.03.2025 and 30.04.2025 made herein and upon hearing the arguments of SRI. RAJA RAO ALGUNOORI Advocate for the Petitioner, SRI. GADI PRAVEEN KUMAR (DEPUTY SOLICITOR GENERAL OF INDIA) Advocate for the Respondent No.1 and Ms. B. SAPNA REDDY, Standing Counsel for the Respondent Nos. 2 to 4.

W.P.No.30627 of 2024

Between:

Rajarapu Nagesh, S/o. Rajarapu Rajanna

...Petitioner

AND

1. The Principal Commissioner of Customs Appeals, O/o. The Principal Commissioner of Customs, GST Bhavan, L B Stadium Road, Basheerbagh, Hyderabad - 500 004.
2. The Air Customs Superintendent (AIU - A), O/o. The Deputy Commissioner of Customs, Rajiv Gandhi International Airport, Shamshabad, Hyderabad - 500 409.
3. The Assistant Commissioner of Customs(Disposal), O/o. The Principal Commissioner of Customs, GST Bhavan, L B Stadium Road, Basheerbagh, Hyderabad - 500 004.

...Respondents

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a Writ order or direction more particularly one in the nature of Writ of Mandamus declaring action of the respondents in seizing the gold weighing 240.100 grams and issuing intimation bearing No. SG/DISP/209/2024-Cus-Disp dated 18/10/2024 as illegal arbitrary and unconstitutional and direct the respondents to provisionally release the goods on the payment of applicable duty under Section 110 A of the Customs Act 1962 or on any conditions as directed by this Honourable court;

IA NO: 1 OF 2024

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to direct the respondents herein to set aside the confiscation notice Dated 18/10/2024 vide intimation bearing No.SG/DISP/209/2024-Cus-Disp, pending disposal of WP.No.30627 of 2024, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and the order of the High Court dated: 06.11.2024 and 30.04.2025 made herein and upon hearing the arguments of M/s. M. KRISHNA CHAITANYA Advocate for the Petitioner, SRI. DUNDU SASHANK learned counsel representing SRI. DOMINIC FERNANDES Advocate for the Respondents,

W.P.No.32216 of 2024

Between:

Smt. Fariya Khaleed, W/o. Jareer Salam Abdullah Baker Shoom

...Petitioner

AND

1. The Principal Commissioner, Hyderabad Customs Commissionerate, Room No. 808, 7th Floor, GST Bhavan, L.B. Stadium Road, Basheerbagh, Hyderabad.
2. The Deputy/Assistant Commissioner of Customs, Rajiv Gandhi International Airport, Shamshabad, Hyderabad – 500049.
3. The Air Customs Superintendent, Air Intelligence Unit- C, Office of Deputy Commissioner of Customs, Rajiv Gandhi International Airport, Shamshabad, Hyderabad – 500049.

...Respondents

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a writ order, or direction more particularly one in the nature of writ Mandamus declaring the action of the respondents 2 and 3 in seizing the 4 Flat bars, 4 Jumkis, 3 Lockets and 1 Ring weighing 388.6 Grams, belonging to the petitioner, inspite of petitioner producing Tax Invoice No. DWSG24AGB00763, (Document No.), dated 17/10/2024, as illegal, arbitrary and in violation of Article 21 of the Constitution of the India, apart from violative of the Customs Act, 1962 and consequently direct the respondents to release the seized gold bars, by 4 Flat bars, 4 Jumkis, 3 Lockets and 1 Ring weighing 388.6 Grams by collecting the requisite custom duty.

IA NO: 1 OF 2024:

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to direct the respondents more particularly Respondent No. 2 and 3, to release the seized gold bars, by 4 Flat bars, 4 Jumkis, 3 Lockets and 1 Ring weighing 388.6 Grams by collecting the requisite custom duty, pending disposal of the WP.No.32216 of 2024, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and the order of the High Court dated: 20.11.2024, 18.12.2024, 07.01.2025, 18.02.2025, 04.03.2025 and 30.04.2025 made herein and upon hearing the arguments of SRI. MIRZA MAHMOOD ALI BAIG Advocate for the Petitioner and Ms. B. SAPNA REDDY, Standing Counsel for the Respondents, the Court made the following.

ORDER:

As prayed for by Mr. M. Krishna Chaitanya, learned counsel for petitioners, list these matters on 04.08.2025.

Interim order earlier granted is extended till the next date of hearing.

SD/N.CHANDRA SHEKAR RAO
DEPUTY REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. One CC to M/s. M. KRISHNA CHAITANYA, Advocate [OPUC].
2. One CC to SRI. RAJA RAO ALGUNOORI, Advocate [OPUC].
3. One CC to SRI. MIRZA MAHMOOD ALI BAIG, Advocate [OPUC].
4. Two spare copies

HIGH COURT

HCJ & PSKJ

DATED:28/07/2025

LIST THESE CASES ON 04.08.2025.



ORDER

WRIT PETITION NOs: 7483 OF 2025, 21498, 30627 AND 32216 OF 2024

INTERIM ORDER EXTENDED