



WEB COPY

WP No. 42236 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-12-2025

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THE HONOURABLE MR JUSTICE ABDUL QUDDHOSE

WP No. 42236 of 2025

AND

WP NO. 42509 OF 2025, WP NO. 42530 OF 2025, WMP NO. 47580 OF 2025, WMP NO. 47582 OF 2025, WMP NO. 47586 OF 2025, WMP NO. 47588 OF 2025, WMP NO. 47593 OF 2025, WMP NO. 47594 OF 2025, WP NO. 42512 OF 2025, WP NO. 42517 OF 2025, WP NO. 42521 OF 2025, WP NO. 42527 OF 2025, WMP NO. 47191 OF 2025, WP NO. 42141 OF 2025, WP NO. 42223 OF 2025, WMP NO. 47274 OF 2025, WMP NO. 47276 OF 2025, WMP NO. 47294 OF 2025, WP NO. 42225 OF 2025, WP NO. 42245 OF 2025, WP NO. 42226 OF 2025, WMP NO. 47286 OF 2025, WMP NO. 47277 OF 2025

1. R.Somasundram

Petitioner(s)

Vs

1. Assistant Commissioner of Customs
Refunds Air
Chennai airport commissionerate, New
Custom House, Meenambakkam
chennai 16

Respondent(s)

For Petitioner(s): G Natarajan
 P.Gowtham



N.Asmitha
S.Mohammed Zuhayr

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For Respondent(s): Mr.B.Arvind Srevatsa, Learned
Junior Standing Counsel Takes
Notice For The Respondents

ORDER

The issue that arises for consideration in these writ petitions is that whether the respective petitioners are entitled for the value of the Gold, which has already been disposed of by the respondents. The said gold was imported by the respective petitioners and were confiscated by the respondents.

2. Aggrieved by the confiscation order, the respective petitioners filed writ petitions before this Court. By an order dated 02.01.2025 in the batch of writ petitions, this Court, according to the petitioner, has observed that absolute confiscation is legally impermissible and in the very same order, this Court has remanded the matter back to the respondents for fresh consideration. However,



it has now been brought to the notice of this Court by the respondents that the gold seized by them earlier has already been disposed of and therefore the question of redemption of the gold by payment of fine will not arise.

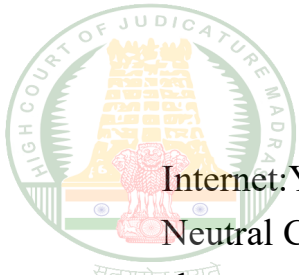
3. The learned counsel for the Petitioners claims that the value of the gold has to be paid to the respective petitioners. According to the learned counsel for the Petitioners, the market value of the gold ought to have been refunded to the respective petitioners, but under the impugned order, the market value of the gold at the time of seizure has been paid.

4. Since counters have not been filed, post the matter for counter and disposal on 28.01.2026 along with W.P. Nos.42141, 42223, 42225 and 42226 of 2025.

08-12-2025

Index: Yes/No

Speaking/Non-speaking order



Internet: Yes

Neutral Citation: Yes/No

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To

1. Assistant Commissioner of Customs
Refunds Air
Chennai airport commissionerate, New
Custom House, Meenambakkam
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ABDUL QUDDHOSE J.

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**47286 OF 2025,WMP
NO. 47277 OF 2025**

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