



W.P.(MD) No.2864 & 2865 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.02.2026

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THE HONOURABLE MR. JUSTICE KRISHNAN RAMASAMY

W.P.(MD)Nos.2864 & 2865 of 2026
and W.M.P.(MD)No.2368 and 2370 of 2026

Shri Rahu1 Singh

... Petitioner in

W.P.(MD)No.2864/2026

Shri R.Rajasekaran

... Petitioner in

W.P.(MD)No.2865/2026

Vs

The Additional Commissioner of Customs
/Joint Commissioner,
Custom House, New Harbour Estate,
Tuticorin 628 004.

... Respondent in
both W.Ps.

Prayer in W.M.P.(MD)Nos.2368 and 2370 of 2026: Petitions filed under Article 226 of the Constitution of India praying to stay the further proceedings in pursuance of show cause notice no.10/2025 dated 17.06.2025 issued by the respondent pending disposal of these writ petitions.



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For Petitioner : Mr.G.Shanmugam
(In both W.Ps)

For Respondent : Mr.R.Muralishankar
(In both W.Ps.)

COMMON ORDER

Mr.R.Muralishankar, learned counsel takes notice on behalf of the respondent and he seeks time to get instructions on the aspect of provisions of cross examination.

2. The learned counsel appearing for the petitioners would submit that the petitioners are Inspectors of Central Excise and that the respondent issued a show cause notice dated 17.06.2025, alleging that they had facilitated the clearance of the consignment by accepting illegal gratification. The allegations against the petitioners are founded substantially on the statements of co-noticees and third parties. In order to effectively defend themselves, the petitioners submitted representations dated 01.09.2025 seeking permission to cross-examine 13 persons. However, the said request was rejected through the impugned order. Challenging the same, the petitioners have filed the present writ petitions.



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3. The learned counsel appearing for the petitioners would submit that unless the petitioners are permitted to cross-examine the witnesses, the truth will not emerge. However, without providing an opportunity for cross-examination, the respondent fixed the personal hearing on 09.02.2026. In such circumstances, the interests of the petitioners would be prejudiced. Hence, he prays for interim stay.

4. Post the matter on **11.02.2026**. In the meantime, the respondent shall defer the personal hearing fixed on 09.02.2026.

03.02.2026

vsm



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KRISHNAN RAMASAMY, J.

vsm

To

The Additional Commissioner of Customs
/Joint Commissioner,
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