

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE DAMA SESHADRI NAIDU

WEDNESDAY, THE 7TH DAY OF OCTOBER 2015/15TH ASWINA, 1937

WP(C).No. 34801 of 2004 (R)

PETITIONER:

M/S.AMRUTH DISTILLERIES LIMITED,
CHULLIMADA, PAMPAMPALLAM P.O. 678 621,
PALAKKAD DISTRICT REP. BY ITS GENERAL
MANAGER (ADMINISTRATION), V. JAYAKRISHNAN.

BY ADV. SRI.P.R.VENKETESH

RESPONDENTS:

1. COMMISSIONER OF EXCISE,
THIRUVANANTHAPURAM.
2. DEPUTY COMMISSIONER OF EXCISE,
CENTRAL ZONE, ERNAKULAM.
3. ASSISTANT EXCISE COMMISSIONER,
PALAKKAD.
4. EXCISE INSPECTOR, AMRUTH DISTILLERIES
LIMITED, PALAKKAD.

BY GOVERNMENT PLEADER SRI.G.GOPAKUMAR

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
07-10-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX IN WPC 34801/2004

PETITIONER'S EXHIBITS:

EXT. P1 TRUE COPY OF MAHAZAR DATED 15.4.2004 ISSUED BY THE CIRCLE INSPECTOR OF EXCISE, PERINTHALMANNA

EXT. P2 TRUE COPY OF MAHAZAR DATED 16.4.2004 ISSUED BY THE CIRCLE INSPECTOR OF EXCISE, PERINTHALMANNA

EXT. P3 TRUE COPY OF MAHAZAR DATED 16.4.2004 SUBMITTED BY THE SI OF POLICE

EXT. P3(a) TRUE COPY OF COMPLAINT DATED 15.4.2004 FILED BY THE ASST. ENGINEER-III BEFORE THE SI OF POLICE, PERINTHALMANNA

EXT. P4 TRUE COPY OF INSPECTION REPORT DATED 16.4.2004 PREPARED BY THE ASST. MOTOR VEHICLE INSPECTOR, PERINTHALMANNA

EXT. P5 TRUE COPY OF REPORT DATED 17.4.2004 OF THE STATION OFFICER, FIRE & RESCUE STATION, MALAPPURAM

EXT. P6 TRUE COPY OF MARINE SURVEY REPORT DATED 21.4.2004 OF THE SURVEYOR AND LOSS ASSESSOR

EXT. P7 TRUE COPY OF RECEIPT ISSUED DATED 18.4.2004 ISSUED BY THE ASSISTANT EXECUTIVE ENGINEER TO THE PETITIONER

EXT. P8 TRUE COPY OF THE COMMUNICATION DATED 19.4.2004 ISSUED BY THE FOURTH RESPONDENT TO THE SECOND RESPONDENT

EXT. P9 TRUE COPY OF THE DEMAND NOTICE DATED 24.4.2004 OF THE FOURTH RESPONDENT TO THE PETITIONER

EXT. P10 TRUE COPY OF THE APPEAL DATED 8.6.2004 FILED BY THE PETITIONER BEFORE THE FIRST RESPONDENT

EXT. P11 TRUE COPY OF THE RECEIPT EVIDENCING PAYMENT OF RS.2,56,587/-

EXT. P12 TRUE COPY OF PETITION DATED 30.7.2004 SUBMITTED BY THE PETITIONER BEFORE THE EXCISE COMMISSIONER

EXT. P13 TRUE COPY OF THE ORDER BEARING NO.XC2-17302/04 DATED 15.10.2004 ISSUED BY THE FIRST RESPONDENT

EXT. P14 TRUE COPY OF DEMAND NOTICE ISSUED BY THE FOURTH RESPONDENT DATED 19.10.2004 TO THE PETITIONER

RESPONDENT'S EXHIBITS: NIL.

/TRUE COPY/

P.S. TO JUDGE

Dama Seshadri Naidu, J.

W.P.(C)No.34801 of 2004 R

Dated this the 7th day of October, 2015

JUDGMENT

In the light of the ratio laid down in W.P.(C)No. 4631/2012 this writ petition is disposed of. Since the petitioner has already paid the amount, the respondent authorities shall refund the same as expeditiously as possible, at any rate, within a period of one month from the date of receipt of a copy of this judgment.

Dama Seshadri Naidu, Judge

tkv