

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.07.2015

CORAM:

THE HON'BLE MR. JUSTICE T.RAJA

W.P.No.22193 of 2015

and M.P.No.1 of 2015

B.Subbulakmi

[Petitioner]

Proprietor

A to Z Services

No.234/1,Prithivi Plaza

NKN Nagar Perumal Malai Road

Salem-636 005.

Vs

The Assistant Commissioner of
Central Excise and Service Tax

Salem I Division No.21 Theerthamalai Arcade

Veerapandiyar Nagar Salem-636 004.

[Respondent]

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of certiorarified mandamus to call for the records pertaining to the impugned cancellation order dated 08.07.2015 passed by the respondent C.No. VIII/10/01/2014-Customs order Sl.No.01/2015 (AC I DVN) and quash the same and consequently direct respondent to allow the petitioner to continue the business.

For petitioner : Mr.S.Sathiyaraj

For respondent : Mr.V.Sundareshwaran, SPC

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ORDER

Heard the learned counsel for the petitioner and Mr.V.Sundareshwaran, learned counsel, who took notice for the respondent and with their consent, the main writ petition itself is taken up for disposal.

2. This writ petition has been filed challenging the order in Original passed by the Assistant Commissioner of Central Excise and

Service Tax

Salem I in C.No. VIII/10/01/2014-Customs, Order Sl.No.01/2015 (AC I DVN) dated 08.07.2015, in and by which, the respondent, finding that the Private Bonded Warehouse License and In bond Manufacture Sanction Order was contrary to law, has withdrawn the same.

3. Since the petitioner has got a right of appeal before the Commissioner of Central Excise (Appeals-I Coimbatore), Circuit Office at Salem Central Excise, this Court is not inclined to entertain the writ petition. Therefore, without going into the merits of the matter, the writ petition is dismissed and it is for the petitioner to work out his remedy by filing an appeal before the authority concerned. No costs. Connected miscellaneous petition is also dismissed.

-Sd/-

Assistant Registrar

//True copy//

Sub Assistant Registrar

Note: Registry is directed to return the original impugned order to the learned counsel for the petitioner forthwith.

To

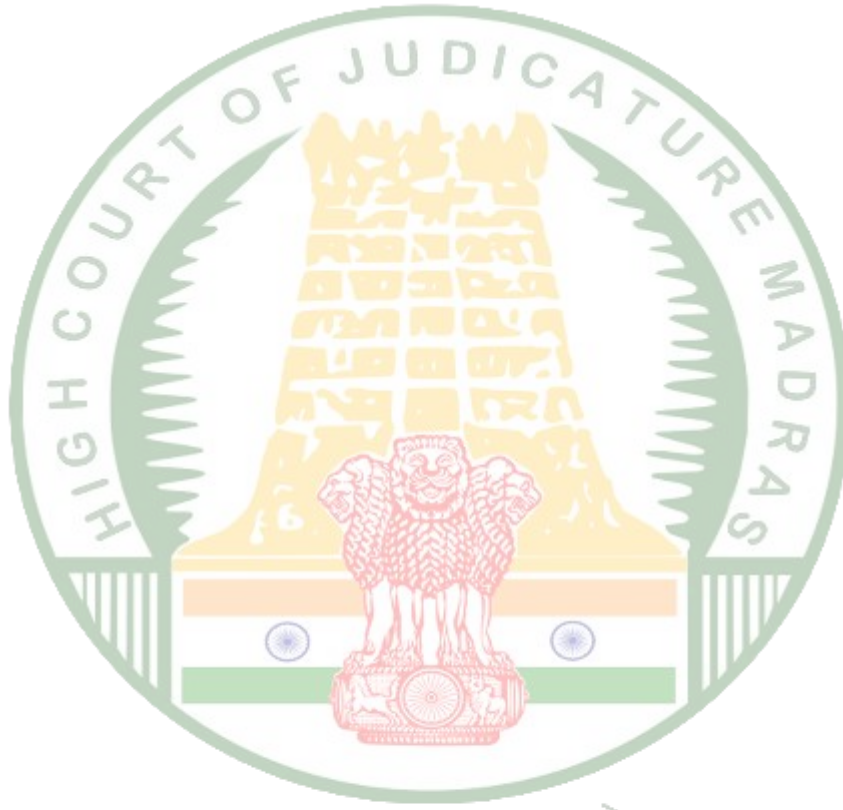
The Assistant Commissioner of
Central Excise and Service Tax
Salem I Division No.21 Theerthamalai Arcade
Veerapandiyar Nagar Salem-636 004.

+ 2 cc to Mr.S.Sathyaraj, Advocate (SR.37869)
+ 1 cc to Government pleader (SR.37607)

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W.P.No.22193 of 2015

NM(co)
cp 06.08.2015



सत्यमेव जयते

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