

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.08.2016

CORAM

THE HON'BLE MR.JUSTICE M.JAICHANDREN

W.P.No.3566 of 2014

M/s.KSJ Metal Impex (P) Ltd.,
represented by its Managing Director
Kamlesh Jain ... Petitioner

Vs.

1.Chairman
Central Board of Excise & Customs
Government of India
Department of Revenue
Ministry of Finance
North Block, New Delhi.
2.The Chief Commissioner of Customs
Chennai Sea Customs
No.60, Rajaji Salai
Chennai-1.
3.The Deputy/Assistant Commissioner of Customs (Refunds)
Refund Section
Chennai Sea Customs
No.60, Rajaji Salai,
Chennai-1.

.. Respondents

The writ petition is filed under Article 226 of the Constitution of India praying for the issue of a writ of mandamus, directing the third respondent to get refund of 4% Additional duty paid in terms of Notification No.102/2007-customs, dated 14.9.2007, made as per the petitioner's representation, dated 22.1.2014.

For Petitioner : Mr.G.Derrick Sam

For Respondents : Mr.A.P. Srinivas

ORDER

Heard the learned counsel, appearing on behalf of the petitioner, as well as the learned counsel, appearing on behalf of the respondents.

2.This writ petition has been filed, praying that this Court may be pleased to issue a Writ of Mandamus, directing the third respondent to consider and dispose of the petitioner's representation, dated 22.1.2014, seeking refund of 4% Additional duty paid, in terms of the Notification No.102/2007-customs, dated 14.9.2007.

3. At this stage of the hearing of the writ petition, the learned counsel, appearing for the petitioner had placed before this Court, an Order in Original No.26029/14, passed by the third respondent, ordering the refund of Rs.39,10,452/-, to the petitioner, as prayed for in the representation.

In such circumstances, the writ petition has become infructuous. Accordingly, the writ petition is dismissed as infructuous. No costs.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

rnb

To

1.The Chairman
Central Board of Excise & Customs
Government of India
Department of Revenue
Ministry of Finance
North Block, New Delhi.

2.The Chief Commissioner of Customs
Chennai Sea Customs
No.60, Rajaji Salai
Chennai-1.

3.The Deputy/Assistant Commissioner of Customs (Refunds)
Refund Section
Chennai Sea Customs
No.60, Rajaji Salai,
Chennai-1.

1 cc to Mr.A.P.Srinivas, Advocate, sr.46524

1 cc to M/s.G.Derrick Sam, Advocate, sr.47116

W.P.No.3566 2014

skv co
kra 14.09.2016