

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.10.2016

CORAM:

THE HON 'BLE MR. JUSTICE T.S.SIVAGNANAM

Writ Petition No.37083 of 2016

M/s. Styleman Textiles Pvt. Ltd.,
Rep. By its P.Vidhya Prakash, Director,
No.280/3-A Ganapathi Palayam Road,
Veerapandi (PO), Tirupur - 641 605 ... Petitioner

Versus

The Assistant Commissioner of Customs (Drawback),
Customs House, No.60,
Rajaji Salai, Chennai - 600 001 ... Respondent

Prayer:- Petition filed under Article 226 of the Constitution of India, seeking for the issuance of a Writ of Mandamus, to direct the respondent to sanction the supplementary claims, dated 03.03.2012, filed by the petitioner with regard to shipping bill Nos.7851633 and 7851637, both dated 03.03.2012, within a reasonable time frame.

For Petitioner : Mr. G.Derrick Sam
For Respondent : Mr. T.R.Senthilkumar

O R D E R

Heard Mr.G.Derrick Sam, learned counsel for the petitioner and Mr.T.R.Senthilkumar, learned Standing Counsel, who accepts notice on behalf of the respondents. By consent of the learned counsel for both sides, the writ petition itself is taken up for final disposal.

2. The petitioner seeks for the issuance of a writ of mandamus to direct the respondent to sanction the supplementary claims, dated 03.03.2012, filed by the petitioner with regard to shipping bill Nos.7851633 and 7851637, both dated 03.03.2012, within a reasonable time frame.

3. The learned counsel for the petitioner has drawn the attention of this Court to a letter sent by the respondent to the learned counsel for the petitioner, dated 03.03.2016, informing that the adjudication and claims, referred to, in S.No.4, i.e., the supplementary claims will be decided shortly. The learned counsel seeks for a direction to pass a final order at the earliest.

4. The learned Standing Counsel appearing for the Revenue would submit that reasonable time may be granted to the respondent to adjudicate the supplementary claims of the petitioner.

5. Considering the facts and circumstances of the case, without going into the merits of the petitioner's entitlement for the supplementary claims, there will be a direction to the respondent to adjudicate the supplementary claims filed by the petitioner and pass a speaking order, on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

srk
To

1. The Assistant Commissioner of Customs (Drawback),
Customs House,
No.60, Rajaji Salai,
Chennai - 600 001

+1cc to Mr.T.R. Senthilkumar, Advocate, S.R.No.60661
+1cc to Mr.Hariradhakrishnan, Advocate, S.R.No.60790

pk (CO)
md (12/11/2016)

W.P.No.37083 of 2016