

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 04.03.2016
CORAM
THE HONOURABLE Mr. JUSTICE M.DURAI SWAMY
W.P.No.5354 of 2016

R.S.Sankara Narayanan

.. Petitioner

v.

- 1 The Union of India
Rep by its Commissioner of Central Excise
No.1 Gouber Lane Beach Road
Puducherry- 605 001.
 - 2 The Assistant Commissioner of Central Excise
No.1 Vallalar Nagar
Manjakuppam
Cuddalore-607 001.
 - 3 The District Registrar
Thirupathiripuliyur
Cuddalore.
 - 4 The Sub-Registrar Joint-II
Cuddalore-607 002.
- .. Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari Mandamus, Calling for the records and order of the 2nd respondent dated 27.02.2015 in C.No.IV/11/16/23/2004-Arrears, quash the same as illegal, and consequently directing the 4th respondent to remove the said order of the 2nd respondent from the Encumbrance for the petitioner's property for the dues of K.Rajeswaran or any other person.

For Petitioner

: Mr.Antony Jesus

For Respondent

: Mr.A.P.Srinivas

Standing Counsel - for R1 & R2

Mr.M.S.Ramesh,

Addl. Govt. Pleader - for R3 & R4

ORDER

The petitioner has filed the above writ petition to issue a Writ of Certiorarified Mandamus to call for the records and order of the second respondent dated 27.02.2015, to quash the same as illegal and consequently direct the fourth respondent to remove the said order of the second respondent from the Encumbrance of the petitioner's property for the dues of K.Rajeswaran or any other person.

2. When the matter is taken up for hearing, Mr.M.S.Ramesh, learned Additional Government Pleader appearing for the respondents 3 and 4 submitted that by letter dated 16.02.2016, the fourth respondent informed the second respondent, viz., the Assistant Commissioner of Central Excise, that encumbrance entry already made in the office record is now cancelled vide the order of the Assistant Commissioner dated 16.02.2016. To this effect, the Assistant Commissioner of Central Excise also sent a letter dated 09.02.2016 to the petitioner stating that they have also informed the fourth respondent to cancel the encumbrance created by the Department for the said property.

3. The learned Additional Government Pleader also produced copies of the letter dated 09.02.2015 and 16.02.2015 before this court.

4. In view of the same, I am of the view that nothing scurries for adjudication in this matter. Accordingly, the writ petition stands closed. No costs.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

Rj

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To

- 1 The Commissioner of Central Excise
Union of India
No.1 Gouber Lane Beach Road
Puducherry- 605 001.
 - 2 The Assistant Commissioner of Central Excise
No.1 Vallalar Nagar
Manjakuppam
Cuddalore-607 001.
 - 3 The District Registrar
Thirupathiripuliyur
Cuddalore.
 - 4 The Sub-Registrar Joint-II
Cuddalore-607 002.
- +1 cc to Mr.J.Antony Jesus Advocate sr.14565
+1 cc to Mr.A.P.Srinivas Advocate sr.14441
+1 cc to Government Pleader High Court Madras
sr 14297/16

ca(co)
aa18/03/2016

W.P.No.5354 of 2016

सत्यमेव जयते

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