

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.02.2016

CORAM

THE HON'BLE Mr. JUSTICE M.DURAISWAMY

W.P.No.6105 of 2016
and
W.M.P.No.5434 of 2016

M/s.ETA General Private Limited,
rep by its Additional General Manager

B.T.Prabakar,
No.71, Sterling Road,
Nungambakkam,
Chennai - 600 034.

... Petitioner

Vs.

1. Customs, Excise and Service Tax Appellate Tribunal,
Shastri Bhavan,
Annexure Building, 1st Floor,
26, Haddows Road,
Chennai - 600 006.

2. The Commissioner of Customs,
Group 5, Custom House,
No.60, Rajaji Salai,
Chennai - 600 001.

... Respondents

Petition filed under Article 226 of The Constitution of India praying to issue a writ of mandamus directing the 1st respondent to dispose of the appeal in Diary No.40164/2016 filed by the petitioner within a reasonable time.

For Petitioner : Mr.N.Venkataraman,
Senior Counsel
Mr.K.Magesh

For Respondents : Mr.T.Chandrasekaran,
Standing Counsel

O R D E R

The petitioner has filed the above Writ Petition to issue a writ of mandamus directing the 1st respondent to dispose of the appeal in Diary No.40164/2016 filed by the petitioner within a reasonable time.

2.Mr.T.Chandrasekaran, learned Standing Counsel taking notice for the respondents submitted that the petitioner had filed the appeal only on 29.01.2016 and therefore, at least three months time shall be fixed for the disposal of the appeal.

3.Having regard to the submissions made by the learned counsel on either side, taking into consideration the limited prayer sought for in the Writ Petition, without expressing any opinion with regard to the merits of the case, I direct the 1st respondent Tribunal to number the appeal, if it is in order and dispose of the same, on merits and in accordance with law, within a period of three months from the date of numbering of the appeal.

4.With these observations, the Writ Petition is disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

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To

1. Customs, Excise and Service Tax Appellate Tribunal,
Shastri Bhavan, Annexure Building, 1st Floor,
26, Haddows Road, Chennai - 600 006.
2. The Commissioner of Customs,
Group 5, Custom House,
No.60, Rajaji Salai,
Chennai - 600 001.

+1cc to Mr.K.Magesh, Advocate, S.R.No.10567
+1cc to Mr.T.Chandrasekaran, Advocate, S.R.No.10657

W.P.No.6105 of 2016
and
W.M.P.No.5434 of 2016

UG(CO)
CA(22/02/2016)