

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.03.2017

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

Writ Petition No.7029 of 2017

M/s.I.G.International Private Limited,
Rep. by its Director, Mr.Tarun Arora,
Plot No.D263, 802, 8th Floor, TTC, MIDC Area,
Akshar Tower, Blue Chip Building,
Turbhe, Navi Mumbai - 400 705. .. Petitioner

Vs.

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

PRAYER: Writ petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the respondent to sanction the refund claims filed on 08.07.2014 and 19.12.2016 along with applicable interest in terms of Section 27A of Customs Act, 1962.

For Petitioner: Mr.Hari Radhakrishnan

For Respondent : Mr.T.Pramod Kumar Chopda
Standing Counsel

O R D E R

Mr.T.Pramod Kumar Chopda, learned Standing Counsel, takes Notice for respondent. By consent of the parties, the main writ petition is taken up for final disposal at the admission stage itself.

2. The petitioner seeks for a Mandamus, directing the respondent to sanction the refund claims filed on 08.07.2014 and 09.12.2016 along with applicable interest in terms of Section 27A of Customs Act, 1962. According to the petitioner, in pursuant to the order passed by the Appellate Authority, the petitioner is entitled to refund of the duty already collected.

3. This Court, at this stage, is not expressing any view on the claim made by the petitioner, as it is for the respondent, to consider and decide on its own merits and in accordance with law. Further, it is stated that those applications are still pending and not yet disposed of. Without expressing any view on the merits of the claim made by the petitioner, the respondent is directed to consider those applications and pass orders, on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order, if those applications are not disposed of so far.

4. With the above observations and direction, the writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

mk

To

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

+lcc to M/s. Hari Radhakrishnan, Advocate, S.R.No.18918
+lcc to Mr.T. Pramod Kumar Chopda, Advocate, S.R.No.18429

NR(CO)
EU 12.4.17

सत्यमेव जयते

W.P.No.7029 of 2017

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