

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 20.06.2017

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

W.P.No.11009 of 2017

M/s.Sharon Solutions India Pvt.Ltd.,  
No.A15-18,Thirubuvanai  
PIPDC Electronic Park,  
Puducherry - 605 107  
Rep. By its Director Ms.Uma Maheswari ....Petitioner.

Vs.

1. The Principal Commissioner of Customs  
(Airport & Air Cargo)  
New Custom House,  
Meenambakkam,  
Chennai - 600 027
2. The Commissioner of Customs  
(Airport & Air Cargo) New Custom House,  
Meenambakkam,  
Chennai - 600 027. ....Respondents

Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus to direct the respondents herein to return back the amounts furnished by the petitioner through bank guarantees amounting to Rs.2,40,79,704/- and already encashed by the respondent, consequent to final order No.42238 of 2016 in C/16/2012-DB dated 22.07.2016 passed by the customs, Excise and Service Tax Appellate Tribunal Chennai, allowing their appeal and setting aside the order passed by the 2<sup>nd</sup> respondent.

For Petitioner : No appearance

For Respondents : Mr.S.Rajasekar  
for R1 and R2.

O R D E R

There is no representation for the petitioner. However, the learned counsel appearing for the respondents, based on instruction, submitted that the prayer sought for in this writ petition has become infructuous in view of the order-in-original passed on 06.06.2017, wherein the request of the petitioner for refund of a sum of Rs.2,40,79,704/- has been considered and granted. He has also produced a copy of the said order.

2. Recording the above said submission, the writ petition is closed as infructuous. No costs.

Sd/-

Asst.Registrar (CS V )

/true copy/

Sub Asst. Registrar

vsi

To

1. The Principal Commissioner of Customs  
(Airport & Air Cargo)  
New Custom House,  
Meenambakkam,  
Chennai - 600 027
2. The Commissioner of Customs  
(Airpot & Air Cargo) New Custom House,  
Meenambakkam,  
Chennai - 600 027.

+1cc to Mr.S.Rajasekar, Advocate sr.43227

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ss(3/7/2017)