

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.06.2017

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

Writ Petition No.15289 of 2017

M/s. Agrocart,
Rep.by its Proprietor,
Mr.S.A.Prasanth,
19/50, Veeran Street,
Thirumangalam, Madurai - 625 706. Petitioner

Vs.

The 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, for issuance of a Writ of Mandamus, directing the respondent to consider the refund application dated 25.05.2016 filed by the petitioner in pursuance of order-in-appeal C.Cus II No.396/2016, dated 28.4.2016 of the Commissioner of Customs (Appeals) II.

For Petitioner	: Mr. G. Derrick Sam
For Respondent	: Mrs. R. Hemalatha
	learned Standing Counsel

सत्यमेव जयते
O R D E R

Mrs.R.Hemalatha, learned Standing Counsel, takes notice on behalf of the respondent. By consent of the parties, the main writ petition itself is taken up for final disposal at the admission stage itself.

2. The petitioner seeks for a Mandamus, directing the respondent to consider their application dated 25.05.2016, wherein and whereby, they sought for refund in respect of Bill of Entry No.4134625 dated 03.02.2016. Whether the petitioner is entitled to such relief or not is for the respondent to consider and decide. Therefore, this Court, at this stage, is not

expressing any view on the claim of the petitioner. However, as the application was filed as early as on 25.05.2016, it is for the respondent to consider the said application and pass orders on the same on its own merits and in accordance with law, without loss of further time, at any event within a period of six weeks from the date of receipt of a copy of this order.

3. With the above direction, this writ petition is disposed of, accordingly. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

mk/ms

To

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

+1cc to Mr.R.Hemalatha, Advocate, S.R.No.43226

+1cc to Mr.Hari Radha Krishnan, Advocate, S.R.No.43171

W.P.No.15289 of 2017

SR(CO)
RS(28/06/2017)

सत्यमेव जयते

WEB COPY