

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.07.2017

CORAM:

THE HONOURABLE MR.JUSTICE T. SIVAGANANAM

W.P.No.27290 of 2004
and W.P.M.P.No.33200 of 2004

M/s.Suresh Enterprises
Rep. By its Proprietor,
Mrs.M.Manimozhi.

.. Petitioner

Vs.

1.The Customs, Excise & Service Tax
Appellate Tribunal,
South Zonal Bench,
Shastri Bhavan Annexe, 1st Floor,
Haddows Road,
Nungambakkam, Chennai.

2.The authorized Officer & Deputy
Commissioner of Central Excise,
Madurai I Division,
Central Revenue Buildings,
Bibikulam,
Madurai 625 002.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for issuing a Writ of Mandamus, directing the second respondent not to give effect to the Notice of Demand dated 14.09.2004 in C.No.IV/16/100/2004-TRC, till the disposal of the Stay Application by the First respondent in Application No.E/PD/000332/2003 in Appeal No.E/000678/2003.

For Petitioner : Mr.Rathina Asohan
For Respondents : Mr.T.Pramodkumar Chopda

ORDER

This Writ Petition has been filed praying for issuance of a Writ of Mandamus, directing the second respondent not to give effect to the Notice of Demand dated 14.09.2004 in C.No.IV/16/100/2004-TRC, till the disposal of the Stay Application by the First respondent in Application No.E/PD/000332/2003 in Appeal No.E/000678/2003.

2. The learned Standing Counsel appearing for the second respondent would submit that due to non fulfillment of the direction issued, the Tribunal has dismissed the petitioner's appeal and the petitioner has filed an application for restoration and thereafter, appeal has been restored on depositing a sum of Rs.2,00,000/- on 23.05.2015 in the place of immovable property security.

3. In the light of the subsequent development, no fresh order is required. Therefore, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

vsm

To

1.The Customs, Excise & Service Tax
Appellate Tribunal,
South Zonal Bench,
Shastri Bhavan Annexe, 1st Floor,
Haddows Road,
Nungambakkam, Chennai.

2.The authorized Officer & Deputy
Commissioner of Central Excise,
Madurai I Division,
Central Revenue Buildings,
Bibikulam,
Madurai 625 002.

+1 cc to Mr.T.Pramod kumar Chopda Advocate sr 49005

W.P.No.27290 of 2004

msm(co)
aa17/08/2017