

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated:13.02.2017

Coram:

The Hon'ble Mr.Justice HULUVADI G.RAMESH  
&  
The Hon'ble Dr. Justice ANITA SUMANTH

Writ Petition No.36649 of 2002

M/s.Shree Ganesh Steel Rolling Mills Ltd.,  
represented by its Director Mr.Ashok Saraf,  
No.14-A, Ennore High Road,  
Chennai 600 019.

..Petitioner

Versus

1. Customs, Excise and Gold (Control),  
Appellate Tribunal,  
Shastri Bhavan,  
26, Haddows Road,  
Chennai 600 006.

2. Commissioner of Central Excise,  
Chennai II Commissionerate,  
Chennai 600 006.

...Respondents

Writ Petition filed under Article 226 of Constitution of India praying for issuance of Writ of Certiorari to call for the records of the first respondent herein and culminating in Order No.254/2002, dated 14.3.2002 and quash the same and confirm the order passed by the 2nd respondent herein.

For Petitioner .. Ms.Janani Rajalakshmi

For Respondents .. Mr.Rabu Manohar  
for R1 and R2

ORDER

(Order of the Court was made by Huluvadi G.Ramesh,J.)

This Writ Petition is filed to quash the impugned order passed by the first respondent in Final order No. 254/2002, dated 14.3.2002 and confirm the order passed by the 2nd respondent herein.

2. As against the order passed by the 1st respondent, the

avenue open to the petitioner was to file a Civil Miscellaneous Appeal before this Court challenging the impugned order, whereas the petitioner has filed this Writ Petition challenging the impugned order which is impermissible as the same is against the Appellate Side Rules.

3. Therefore, without going into the merits of the matter, this Writ Petition is disposed of by directing the petitioner to move this Court by filing a Civil Miscellaneous Appeal or take recourse to any other forum as is available to him as per law against the final order passed by the 1st respondent.

4. The Writ Petition is disposed of on the above terms. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

msr

To

1. Customs, Excise and Gold (Control),  
Appellate Tribunal,  
Shastri Bhavan,  
26, Haddows Road,  
Chennai 600 006.

2. Commissioner of Central Excise,  
Chennai II Commissionerate,  
Chennai 600 006.

+1cc to Mr.Babu Manohar, Advocate, S.R.No.9125

+1cc to Mr.Murugappan, Advocate, S.R.No.9136

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SSI (CO)  
RS (07/04/2017)

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