

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.12.2018

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

W.P.No.33893 of 2018
and W.M.P.No.39349 of 2018

Udumalpet Municipality
rep. By its Commissioner,
Dhali Road,
Udumalpet-642126.

..Petitioner

Vs

The Additional Commissioner of Central excise,
6/7 A.T.D.Street, Race Course Road,
Coimbatore - 641 018.

....Respondent

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari to call for the entire records relating to Orders-in-Original No.30-34/2016 dated 29.02.2016 passed by the respondent and quash the same.

For Petitioner : Mr.J.Shankar Raman

For Respondents : Mr.K.S.Ramasamy,
Standing Counsel.

O R D E R

This writ petition is filed challenging the order in original dated 29.2.2016.

2. Admittedly, as against the said order, an appeal lies before the Commissioner (Appeal). However, no such appeal is filed by the petitioner within the time stipulated under the statute. On the other hand, the present writ petition is filed, that too, nearly after three years.

3. Thus, I am of the view that the Writ Petition is liable to be dismissed on the ground of laches and also on the ground of availability of alternative remedy. Therefore, this Writ Petition is dismissed as not maintainable. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

vsi/sni

To

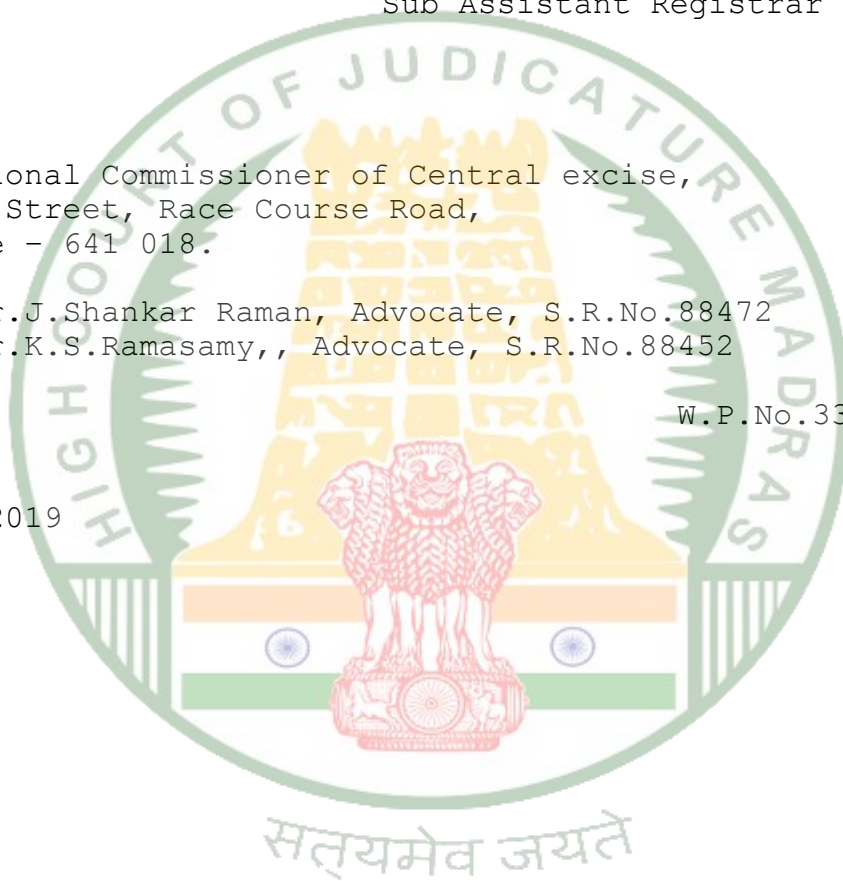
The Additional Commissioner of Central excise,
6/7 A.T.D.Street, Race Course Road,
Coimbatore - 641 018.

+1cc to Mr.J.Shankar Raman, Advocate, S.R.No.88472

+1cc to Mr.K.S.Ramasamy,, Advocate, S.R.No.88452

W.P.No.33893 of 2018

AD(CO)
CS/24/01/2019



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