



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
DATED : 12.07.2018  
CORAM:

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

WEB COPY

W.P (MD) No.13382 of 2018  
and  
W.M.P (MD) Nos.12194 and 12195 of 2018

M/s.S.Mira Commodities Private Limited,  
represented by its  
Director,  
Farooq Shabbir Noorani,  
No.602, Arihant Sparsh,  
Plot Nos.13 & 14,  
Sector - 26,  
Vashi,  
Navi Mumbai - 400 705.

... Petitioner

Vs.

1.Customs, Excise and Service Tax Appellate Tribunal,  
Shastri Bhavan, Annexe Building, 1<sup>st</sup> Floor,  
26, Haddows Road, Chennai - 600 006.

2.The Commissioner of Customs,  
Custom House,  
New Harbour Road,  
Tuticorin - 628 004.

3.The Assistant Commissioner of Customs (ARC),  
Office of the Commissioner of Customs,  
Custom House, New Harbour Road,  
Tuticorin - 628 004.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, praying for issuance of a writ of Certiorari to call for the entire records of the third respondent herein - the Assistant Commissioner of Customs (ARC), Custom House, Tuticorin, leading to the issuance of Impugned Certificate No.262/2017-18, dated 29.01.2018 in file C.No.VIII/48/523/2013-Arrears and quash the same.

For Petitioner : Mr.A.K.Jayaraj  
For Respondents : Mr.R.Aravindan

#### ORDER

It is represented by the learned Counsel for the petitioner that the impugned certificate under challenge has been withdrawn by the third respondent, vide proceedings in C.No.VIII/48/523/2013-Arrears, dated 09.07.2018 and he has also produced a copy of the said proceedings before this Court. The relevant portion of the proceedings dated 09.07.2018, reads as under:



"Kind attention is invited to this office Letter of even No. dated 29/01/2018 enclosing Appendix-I Certificate No.262/2017-18, dated 29/01/2018.

It is informed that M/s.Mira Commodities Pvt. Ltd., have filed appeal before Hon'ble CESTAT, Chennai vide appeal No.C/40394/2018 Hence the said Appendix-I Certificate No.262/2017-18 dated 29/01/2018 is hereby withdrawn."

2. In view of the above, nothing survives for adjudication in this writ petition and accordingly, this writ petition is disposed of. No costs. Consequently, the connected writ miscellaneous petitions are closed.

Sd/-

Assistant Registrar (Writs)

/True Copy/

Sub Assistant Registrar(CS-II)

To

1.Customs, Excise and Service Tax Appellate Tribunal,  
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Custom House, New Harbour Road,  
Tuticorin - 628 004.

+1cc to M/S.R.Aravindan, Advocate SR.No. 72721

+1cc to M/S.A.K.Jayaraj, Advocate SR.No. 73092

W.P(MD)No.13382 of 2018

and

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12.07.2018

rsb

JM/SKN RSK/SAR 2/24.07.2018/2P/6C