

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.07.2019

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P.No.18250 of 2011

M/s.Visoka Engineering Pvt. Ltd.,  
Rep. By its DGM - Commercial,  
Ms.K.Chandra,  
No.116, SIDCO Industrial Estate,  
Thirumazhisai, Chennai - 600124.

...Petitioner

Vs

1. The Assistant Commissioner of  
Customs (Refunds - Sea),  
Custom House,  
No.60, Rajaji Salai,  
Chennai -600001.

2. The Deputy Commissioner of  
Customs (EPCG),  
Custom House,  
No.60, Rajaji Salai,  
Chennai -600001.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the 1<sup>st</sup> respondent to pass an order on the refund claim filed by the petitioner Company in respect of bill of entry 30319 dated 17.11.1999 within a reasonable time frame along with application interest.

For Petitioner : Mr.G.Derrick Sam  
for Mr.Hari Radhakrishnan

For Respondents: Mr.S.Rajasekar, SC

ORDER

The limited prayer sought for in the present writ petition is for a direction to the first respondent to pass orders on the refund claim made by the petitioner in respect of the bill of entry dated 17.11.1999.

2. According to the learned counsel for the petitioner, though the application has been made way back on 22.04.2008, no orders have been passed till date.

3. In my view, if a direction is given to the first respondent to consider the application, if not already considered, within a stipulated time, the ends of justice would be secured.

4. In the light of the above observations, there shall be a direction to the first respondent herein to consider the petitioner's application dated 22.04.2008, if not already disposed of, within a period of six weeks from the date of receipt of copy of this order.

4. Accordingly, the writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CS V)

//True Copy//

Sub Assistant Registrar

hvk

To

1. The Assistant Commissioner of  
Customs (Refunds - Sea),  
Custom House,  
No.60, Rajaji Salai,  
Chennai -600001.

2. The Deputy Commissioner of  
Customs (EPCG),  
Custom House,  
No.60, Rajaji Salai,  
Chennai -600001.

+1cc to Mr.S.Rajasekar, Advocate, S.R.No.56074

+1cc to M/s.Hari Radhakrishnan, Advocate, S.R.No.55765

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RV(CO)

RRS (28/08/2019)