



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.07.2019

CORAM:

THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P. (MD) No. 16193 of 2019

WEB COPY

M/s. Sree Ayyanar Spinning and Weaving Mills Pvt. Ltd.,
Represented by its Company Secretary,
Mill Premises, Mallanginar,
Virudhunagar District - 626 109.

... Petitioner

/Vs./

1. The Assistant Commissioner of Customs (Refund),
Custom House, Tuticorin.
2. The Assistant Commissioner of Customs (Imports),
Custom House, Tuticorin - 628 004.
3. The Assistant Commissioner of Customs (Refund),
Customs House, Tuticorin - 628 004. ... Respondents

PRAYER:- Writ Petition - filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus directing the respondents to reassess and refund and excess customs duty of Rs. 2,70,101/- paid at the time of original assessment of the goods covered under the bills of Entry Nos. 2397127 dated 11.07.2017, 3079708 dated 02.09.2017 and 3605428 dated 13.10.2017 with appropriate interest under Section 27-A of Customs Act.

For Petitioner : Mr. T. Ramesh
For R-1 & R-2 : Mr. B. Vijay Karthikeyan

ORDER

Mr. B. Vijay Karthikeyan, learned Standing Counsel, who has accepted notice on behalf of the respondents, confirms the receipt of application dated 24.01.2018 filed by the petitioner and also suggests that the first respondent before whom it is pending may be directed to dispose the same within a time frame.

2. Accordingly, in the light of the inordinate delay in the pendency of the application since January 2018, a Mandamus is issued to the first respondent to dispose the application dated 24.01.2018 filed by the petitioner, within a period of four weeks from the date of receipt of the copy of this order.



3. This Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-III)

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// True Copy //

Sub Assistant Registrar (CS)

To

1. The Assistant Commissioner of Customs (Refund),
Custom House, Tuticorin.
2. The Assistant Commissioner of Customs (Imports),
Custom House, Tuticorin - 628 004.
3. The Assistant Commissioner of Customs (Refund),
Customs House, Tuticorin - 628 004.

+1 CC to Mr.T.RAMESH, Advocate (SR-78357[F] dated 30/07/2019)
+1 CC to Mr.B.VIJAY KARTHIKEYAN, Advocate (SR-78358[F] dated
30/07/2019)

Order made in
W.P.(MD) No.16193 of 2019
Dated: 29.07.2019

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MK (29.08.2019) 2P 6C