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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.07.2019

CORAM:

THE HONOURABLE DR.JUSTICE ANITA SUMANTH

W.P.(MD)No.919 of 2014
and
M.P.(MD)No.1 of 2014

K.Babu ... Petitioner

/Vs./

1.The Assistant Commissioner of Customs,
Customs Division, III Floor, 'B' Wing,
No.1, Williams Road, Trichy – 620 001.

2.The Superintendent of Customs,
Office of Assistant Commissioner,
Customs Division, III Floor, 'B' Wing,
No.1, Williams Road, Trichy – 620 001. ... 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 grant further time to make payment of arrears as mentioned in the proceedings of the 1st respondent in C.No.VIII/58/01/2013-Misc dated 08.01.2014.

For Petitioner : Mr.S.R.Subramanian
For Respondents : Mr.B.Vijaya Karthikeyan
Special Government Pleader

ORDER

A Mandamus simpliciter is sought by the petitioner seeking further time to make payment of arrears as set out in the proceedings of the Assistant Commissioner of Customs dated 08.01.2014. Out of the total sum of Rs.1,28,984/- detailed in communication dated 08.01.2014, admittedly, a sum of Rs.60,000/- has been paid, even at the time when communication dated 08.01.2014 was issued. Thereafter, in compliance with the direction of this Court, a further sum of Rs.50,000/- has been paid. This is not disputed. A challan has been placed at page No.2 of the typed set dated 06.12.2012 for a sum of Rs.41,741/-. This has also not been disputed in counter, though it does not figure in the tabulation of the amount paid set out in the counter.

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2. Be that as it may, in the light of the fact that the petitioner appears to have paid the sum (approximately)

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of Rs.1,50,000/-, cause of action as set out in the writ petition does not survive any more. Recording the same, this Writ Petition is closed. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar

To

1.The Assistant Commissioner of Customs,
Customs Division, III Floor, 'B' Wing,
No.1, Williams Road, Trichy – 620 001.

2.The Superintendent of Customs,
Office of Assistant Commissioner,
Customs Division, III Floor, 'B' Wing,
No.1, Williams Road, Trichy – 620 001.

+1 CC to M/s.R.SUBRAMANIAN, Advocate (SR-75858[F] dated 17/07/2019)

+1 CC to M/s.S.GURUMOORTHY, Advocate (SR-76147[F] dated 18/07/2019)

W.P.(MD)No.919 of 2014
17.07.2019

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