

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.01.2021

CORAM

THE HONOURABLE DR. JUSTICE ANITA SUMANTH

Writ Petition No.557 of 2021
and
WMP. Nos.612 & 614 of 2021

Adani Enterprises Limited
Represented by its Associate General Manager,
F & A Saurabh Shah,
Adani House, Shrimali Society, Navarangpura,
Ashram Road, Ahmedabad 380 009.
Now at
Adani Corporate House, Shantigram,
Near Vaishnav Devi Circle, SG Highway,
Khodiyar, Ahmedabad 382 421 ...Petitioner

Vs

The Assistant Commissioner of Customs (Drawback),
Office of Commissioner of Customs (Sea-Export),
Custom House, 60, Rajaj Salai,
Chennai - 600 001 ... Respondent

PRAYER: Writ Petition filed under Article 226 of the
Constitution of India praying for the issuance of Writ of
Certiorari to call for the records relating to Show Cause
Notice bearing F.No.S.Misc.63/2010-DBK.BRC. dated 10.08.2010
issued by the respondent, quash the same as arbitray and illegal.

For Petitioner सत्यमेव जयते : Mr. Joseph Prabakar

O R D E R

The petitioner seeks Writ of Certiorari calling for the
records relating to Show Cause Notice bearing
F.No.S.Misc.63/2010-DBK.BRC dated 10.08.2010. Inter alia, a
stay of the show cause notice has also been sought.

2. A reply has been filed to the show cause notice as
early as on 23.08.2010 and thereafter, no further proceedings

have been initiated by the respondent. The petitioner has also not bothered to appear before the respondents or seek a clarification with regard to what has transpired thereafter. Even without approaching the respondent by way of a representation or a letter seeking clarity in the matter, the petitioner has approached this Court seeking a certiorari of the show cause notice, which is more than a decade old.

3. Moreover, there appears to be absolutely no trigger for the present Writ Petition and no notice of personal hearing or any other communication has been received after the show cause notice issued in August, 2010. I am of the view that there is no cause of action at this juncture to justify this Writ Petition and the same is thus dismissed. No costs. Connected Miscellaneous Petitions are also dismissed.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

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To

The Assistant Commissioner of Customs (Drawback),
Office of Commissioner of Customs (Sea-Export),
Custom House, 60, Rajaj Salai,
Chennai - 600 001.

+1cc to Mr.Joseph Prabakar, Advocate Sr.2011

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srg 03/02/2021

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