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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.06.2021

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.Nos.5806 & 5809 of 2010

M/s.Anugraha Valve Castings Ltd (Unit-V),
Rep. By its Managing Director,
Mr.R.Baskaran,
SF No.391/2, Sengoundanpudur,
Arasur, Coimbatore District.

.. Petitioner in both W.Ps.

Vs.

1.The Union of India,
rep. By its Secretary,
Ministry of Finance, Department of Revenue,
North Block, New Delhi.

2.The Member (Central Excise)
Central Board of Excise & Customs,
Department of Revenue,
North Block, New Delhi.

3.The Chief Commissioner of Central Excise,
No.6/7, A.T.D. Street,
Race Course Road, Coimbatore.

.. Respondents in both W.Ps.

Prayer in W.P.No.5806/2010: Writ Petition filed under Article 226 of the Consitution of India, to issue a Writ of Declaration, declaring the Rule 12cc of the Central Excise Rules 2002 and read with Notification No.32 of 2006 Central Excise (N.T.) dated 30.12.2006 as ultra vires and offending Artile 14, Article 19(1) (g) and Article 300-A of the Constitution of India and quash the same.

Prayer in W.P.No.5809/2010: Writ Petition filed under Article 226 of the Consitution of India, to issue a Writ of Certiorari, calling for the records comprised in Order No.13/2010-M (CX)/DA dated 23.02.2010, on the file of the 2nd respondent and quash the same.

(In both W.Ps.)

For Petitioner : M/s.P.Jayalakshmi
for M/s.G.RM.Palaniappan



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For Respondent : No appearance (For R1)

Mr.A.P.Srinivas (For R2 & R3)
Senior Panel Counsel

C O M M O N O R D E R

The learned counsel appearing for the petitioner made a submission that the cause arose for the purpose of filing the Writ Petitions did not exist as of now and therefore, the grounds raised in the present Writ Petitions deserve no further adjudication. However, if any other grievances exist as of now, the petitioner is at liberty to approach the competent authority for redressal of the same by following the procedures.

2. With these observations, the Writ Petitions stand disposed of as infructuous. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

gsa

To

1. The Secretary,
Union of India,
Ministry of Finance, Department of Revenue,
North Block, New Delhi.

2. The Member (Central Excise)
Central Board of Excise & Customs,
Department of Revenue,
North Block, New Delhi.

3. The Chief Commissioner of Central Excise,
No.6/7, A.T.D. Street,
Race Course Road, Coimbatore.

+1cc to Mr.S.Muthuvenkataraman, Advocate, S.R.No.28849
+1cc to Mr.A.P.Srinivas, Advocate, S.R.No.28381

W.P.Nos.5806 & 5809 of 2010

KV(CO)
CB(16/07/2021)