

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.01.2021

CORAM:

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.Nos.576 of 2011 and 29469 of 2010
and
M.P.No.1 of 2011 and 1 of 2010

RVJ. Devadoss ... Petitioner in both W.Ps.

Vs.

1. The Secretary to the Government,
Ministry of Customs and Central Excise,
Government of India,
New Delhi.
2. The Commissioner of Customs,
Customs House,
Tuticorin - 628 004. ... Respondents 1 and 2 in both W.Ps.
3. The Assistant Commissioner of Customs,
Inland Container Depot,
Tuticorin - 628 004. ... 3rd Respondent in W.P.No.29469 of 2010
4. The Deputy Commissioner (Drawback),
O/o. Commissioner of Customs,
Customs House,
Tuticorin - 628 004. ... 3rd Respondent in W.P.No.576 of 2011
5. The Chief Manager,
Canara Bank, Kurunji Towers,
40-B, Appachi Nagar Main Road,
Kongu Nagar, Tirupur - 641 607. ... 4th Respondent
in W.P.No.576 of 2011

Prayer in W.P.No.576 of 2011: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of Writ of Certiorari, to call for the entire records pertaining to the notice cum demand Letter of the 3rd Respondent in C.No.VIII/20/1015/2010/SCN No.503/2010 dated 07.05.2010 and quash the same.

Prayer in W.P.No.29469 of 2010: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of Writ of Certiorarified Mandamus, to call for the

entire records pertaining to the Letter of the 1st Respondent in F.No.609/25/2010-DBK dated 02.11.2010 and quash the same consequently direct the 1st respondent to consider and dispose of the petitioner's representation dated 05.02.2010 in accordance with Rule 17 of Customs, Central Excise Duties and Service Tax Drawback Rules, 1995.

For Petitioner : Mr.M.Kannan for
(in both W.Ps) Mr.M.Purushothaman
For Respondents: Mr.A.P.Srinivas
(in both W.Ps) Standing Counsel for R1 to R3

Mr.S.Parthasarathy for R4

COMMON ORDER

These cases had been argued partly. However, on the last occasion, learned counsel Mr.Purushothaman, for the petitioner mentioned that the petitioner had approached him for change of vakalat and therefore these cases be adjourned.

2.However, today learned counsel Mr.Purushothaman, for the petitioner submitted that the sole petitioner has died and therefore he is not in a position to conduct the case.

3.The learned counsel for the petitioner is not able to confirm as to when the petitioner had died. In any event, it appears that the petitioner was not interested in pursuing with the Writ Petitions as the petitioner had not engaged any other counsel during his life time.

4.Under these circumstances, these Writ Petitions are dismissed as abated with liberty to the legal representative to file appropriate application to restore the writ petitions. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1.The Secretary to the Government,
Ministry of Customs and Central Excise,
Government of India,
New Delhi.

2.The Commissioner of Customs,
Customs House,
Tuticorin - 628 004.

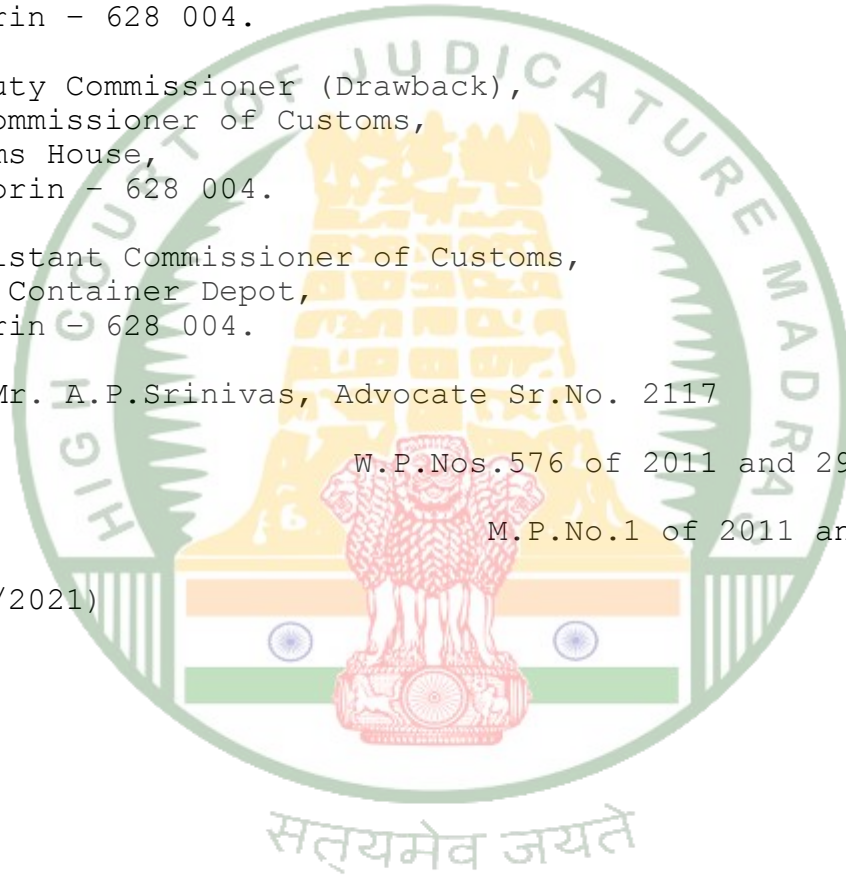
3.The Deputy Commissioner (Drawback),
O/o. Commissioner of Customs,
Customs House,
Tuticorin - 628 004.

4.The Assistant Commissioner of Customs,
Inland Container Depot,
Tuticorin - 628 004.

+1 cc to Mr. A.P.Srinivas, Advocate Sr.No. 2117

W.P.Nos.576 of 2011 and 29469 of 2010
and
M.P.No.1 of 2011 and 1 of 2010

BS (CO)
RMP (24/03/2021)



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