



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.07.2021

CORAM

THE HONOURABLE DR.JUSTICE ANITA SUMANTH

W.P. No.13992 of 2021

The General Manager,
Mount Kailash Print Pack Machiners,
Sriram Apartment, Plot No.21, Door No.14,
Ground Floor - 1, 3rd Cross Thirumalai Nagar,
Perungudi, Chennai - 96.

... Petitioner

Vs

The Deputy Commissioner of Customs (Group -V),
Custom House, No.60, Rajaji Salai, Chennai - 1.

... Respondent

PRAYER : Petition filed under Article 226 of the Constitution of India praying for the issuance of Writ of Mandamus directing the respondent to refund a sum of Rs.3,10,054/- collected as additional customs duty without giving an opportunity of hearing to the petitioner as sought vide representation dated 16.02.2021.

For Petitioner : Mr.N.A.Nissar Ahmed

For Respondent : Ms.Anu Ganesan

Junior Panel Counsel

O R D E R

Ms.Anu Ganesan, learned Junior Panel Counsel accepts notice for the respondent and is armed with instructions to proceed with the matter. Hence, by consent of both sides, this Writ Petition is taken up for final disposal even at the stage of admission.

2. The prayer in this Writ Petition is for a mandamus directing the Deputy Commissioner of Customs/sole respondent to dispose the representation filed by the petitioner dated 16.02.2021, where under the petitioner has sought refund of the amount collected as additional customs duty without hearing it. Though there is no acknowledgment placed on record evidencing receipt of the representation by the respondent, learned counsel



for the petitioner would maintain that the same has been filed before the respondent.

3. Thus, subject to the representation available on the records of the respondent, the same shall be considered and disposed within a period of six (6) weeks from today after hearing the petitioner, preferably virtually.

4. This Writ Petition is disposed as above. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

The Deputy Commissioner of Customs (Group -V),
Custom House, No.60,
Rajaji Salai, Chennai - 1.

+1cc to Mr.Na. Nissar Ahmed, Advocate SR.No.31789

+1cc to M/s.Anu Ganesh, Advocate SR.No.32204

W.P. No.13992 of 2021

BR(CO)

CT(30.07.2021)