

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.03.2021

CORAM

THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P. No.16741, 16743 & 16744 of 2020 &

M/s Mahalakshmi Metal & Scrap Processing (P) Ltd.,
Rep. By Shri. Anil Kumar Ojha, Import Manager,
403/D, Thiruvottiyur hgh Road,
Chennai-600019 ...Petitioner in WP No.16741 of 2020

Shri. Anil Kumar Ojha
403/D, Thiruvottiyour High Road,
Chennai-600019 ...Petitioner in WP No.16743 of 2020

M/s.Bajarangbali Trading Company,
Rep. By Shri.Anil Kumar Ojha,
Managing Partner
403/D, Thiruvottiyour High Road,
Chennai-600019 ...Petitioner in WP No.16744 of 2020

Vs.

- 1.The Commissioner of Customs,
Chennai-IV Commissionerate,
Customs House Rajaji Salai,
Chennai-600001
- 2.Additional Director General
Directorate of Revenue Intelligence,
Chennai-17 ...Respondent in all WPs

Common Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue Writ of certiorari calling for the entire records connected with the impugned order in order-in-original No.74011/2020 dated 05.03.2020 passed by the 1st respondent and quash the same.

For Petitioners : Mr.I.Syed Sibghatulla

For Respondents : Mrs.M.Sheela

Senior Standing Counsel for R1

No appearance for R2

O R D E R

Heard Mr.I.Syed Sibghtulla, learned counsel for the petitioners and Mrs.M.Sheela, learned Senior Standing Counsel for R1.

2. It is seen that the petitioners have, prior to filing of these writ petitions, challenged the very same orders as impugned in these writ petition being orders-in-original dated 05.03.2020 by way of appeals before the CESTAT. This fact finds place in paragraph-6 in WP.Nos.16741 & 16743 of 2020 and paragraph-5 in WP.No.16744 of 2020 of the affidavit filed in support of the writ petitions.

3. In such circumstances, there is no justification for the petitioners to maintain these writ petitions as well and pursue two remedies in regard to the same cause of action.

4. These writ petitions are thus dismissed and the petitioners are at liberty to pursue their appeals pending before the CESTAT. No costs.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

To

1.The Commissioner of Customs,
Chennai-IV Commissionerate,
Customs House Rajaji Salai,
Chennai-600001

2. The Additional Director General
Directorate of Revenue Intelligence,
Chennai-17.

+3cc to Mr.I.Syed Sibghatulla, Advocate SR.NO..18390

+3cc to Mr.M.Sheela, Advocate SR.NO..18790 to 18792

AKM/09.04.21/2P- 9C/

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