

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.04.2021

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.8610 of 2016
and
W.M.P.No.7660 of 2016

Tirupur Sri Sentil Cotton Mills Ltd.,
Represented by its Chairman & Managing Director,
Shri.A.P.Velussami,
SF.No.302, Andipalayam,
Tirupur - 641 687. ...Petitioner

Vs.

- 1.The Commissioner of Customs (DEEC)
Tuticorin Sea Customs,
Customs House, New Harbour Estate,
Turicorin - 628 004.
- 2.The Assistant Commissioner of Customs (DEEC)
Office of the Commissioner of Customs,
Turicorin Sea Customs,
Customs House, New Harbour Estate,
Tuticorin - 628 004.
- 3.The Joint Director General of Foreign Trade,
Government of India, Ministry of Commerce,
LIC Complex Building,
Trichy Road, Coimbatore - 641 618.
- 4.M/s.Flora Garments India Pvt. Ltd., (An100% EOU)
Represented by its Director
Mr.P.D.Barmer Thennampalayam,
Alampalayam Village,
Coimbatore - 641 602. ...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, forbearing the 2nd respondent or any other officers from demanding duty forgone on imports made under Advance Licence No.3210026147 dated 24/11/2004 pending disposal of BIFR Proceedings under the Sick Industrial Companies (Special Provisions) Act, 1985.

For Petitioner : Mr.Hariharan
For Mr.R.Anish Kumar

For Respondents: Mr.P.Saravanan
Additional Central Government
Standing counsel[For R1 & R2]

Mr.K.Srinivasamurthy
[Senior Panel Counsel for Central
Government] (for R3)

R4 - Company closed

ORDER

The learned counsel for the petitioner made a submission that the requisition proceedings were already initiated against the writ petitioner company before the NCLT on 29.05.2020.

2. This being the factum, no further adjudication needs to be entertained in respect of the grounds raised in the present writ petition and accordingly, the writ petition stands disposed of as infructuous.

3. Accordingly, the Writ Petition in W.P.No.8610 of 2016 stands disposed of as infructuous. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1.The Commissioner of Customs (DEEC)
Tuticorin Sea Customs,
Customs House, New Harbour Estate,
Turicorin - 628 004.

2.The Assistant Commissioner of Customs (DEEC)
Office of the Commissioner of Customs,
Turicorin Sea Customs,
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Tuticorin - 628 004.

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Government of India, Ministry of Commerce,
LIC Complex Building,
Trichy Road, Coimbatore - 641 618.

+1cc to Mr.K.Srinivasamurthy, Advocate SR.24051
1cc to Mr.R.Anish Kumar, Advocate Sr.23923

W.P.No.8610 of 2016

rld[co]
srg 14/06/2021



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