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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20-07-2021

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THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

WP No.587 of 2017

And

WMP Nos.640 and 7725 of 2017

M/s.S.S.D. Oil Mills Company Limited,
Represented by its Director Shri R.Deepan Dorai,
No.52, 48th Street,
Ashok Nagar,
Chennai-600 083.

..Petitioner

vs.

1. The Assistant Director General of Foreign Trade,
26, Haddows Road,
Shastri Bhavan Annexe,
Chennai-600 006.
2. The Joint Director General of Foreign Trade,
26, Haddows Road,
Shastri Bhavan Annexe,
Chennai-600 006.
3. Additional Director General of Foreign Trade,
26, Haddows Road,
Shastri Bhavan Annexe,
Chennai-600 006.
4. Director General of Foreign Trade,
Udyog Bhawan, H-Wing,
Gate No.02, Maulana Azad Road,
New Delhi 110 011.
5. Tahsildar,
Office of the Tahsildar,
Alandur,
Kancheepuram District.
6. The Assistant Commissioner of Customs (EPCG),
Custom House,
No.60, Rajaji Salai,
Chennai-600 001.

..Respondents



Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned recovery notice dated 21.12.2016 issued by the fifth respondent in Na.Ka.3791/2016 to the petitioner company and quash the same and further direct the fifth respondent not to take any coercive action in respect of the order-in-original dated 01.02.2013 issued in F.No.04/36/21/252/AM04, till the disposal of the appeal filed before the fourth respondent on 24.06.2013.

For Petitioner : Mr.G.Vijayabalan
For Respondents 1 to 5 : No Appearance
For Respondent No.6 : Mr.T.Pramod Kumar Chopda

O R D E R

The learned counsel for the petitioner made a submission that challenging the order impugned issued by the Tahsildar, Alandur under the provisions of the Revenue Recovery Act, the present writ petition is filed.

2. However, the statutory appeal under the Act is before the third and fourth respondents. The said appeal was filed on 24.06.2013 and now it is pending before the third and fourth respondents.

3. The learned counsel for the petitioner reiterated that the appeal is yet to be disposed of and pending for more than 8 years.

4. Under these circumstances, this Court is of the considered opinion that the third and fourth respondents have to hear the appeal by affording an opportunity to the writ petitioner and dispose of the same on merits and in accordance with law. As the matter is pending for the past about 8 years, respondents 3 and 4 are directed to complete the exercise of disposing of the appeal as expeditiously as possible, preferably within a period of four months from the date of receipt of a copy of this order.



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5. With the above directions, the writ petition stands disposed of. However, there shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

Svn

To

1. The Assistant Director General of Foreign Trade,
26, Haddows Road,
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+1cc to Mr.T.Pramod Kumar Chopda, Advocate, S.R.No.35209
+1cc to Mr.G.Ilangovan, Advocate, S.R.No.34873

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PCH(CO)
RLP(09/08/2021)