



WEB COPY



W.P.No.10656 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 08.11.2022

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THE HONOURABLE **DR. JUSTICE ANITA SUMANTH**

W.P.No.10656 of 2022 and
WMP.No.23582 of 2022

M/s.Agnice Fire Protection Pvt. Ltd.,
Represented by its Authorized Signatory
Mr.T.S.Jayakumar
No.2, First Main Road, G.K.Industrial Estate,
Alapakkam, Porur, Chennai-600 116.

... Petitioner

Vs

The Deputy Commissioner of Customs, (Group 5A),
Air Cargo, New Custom House,
Meenambakkam, Chennai-600 027.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to direct the Respondent to release the Bill of Entry No.680046 dated 19.08.2008 in terms of the Order-in-Appeal Sea. C.Cus II No.134/2018 dated 26.03.2018 passed by the Commissioner of Customs (Appeals-II) within a reasonable time.

For Petitioner : Mr.Hari Radhakrishnan

For Respondent : Mr.Umesh Rao K
Standing Counsel



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ORDER

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WMP No.23582 of 2022 is filed seeking fixation of early date for hearing of the main Writ Petition. However, pursuant to the filing of this Miscellaneous Petition, the petitioner has received a communication dated 03.11.2022 from the customs authorities seeking various documents to enable the authorities to proceed with the assessment of the bills of entry and consequent determination of pay over and refund, if any. On 07.11.2022, the petitioner has also responded to the aforesaid communication.

2. To be noted, that the prayer in the Writ Petition is itself for a direction to the customs authorities, arrayed as respondent, being the assessing authority, to re-assess bill of entry bearing No.680046 dated 19.08.2008 in terms of appellate order C.Cus.II No.134/2018 dated 26.03.2018.

3. In light of the fact that the authorities have taken the matter up for assessment now, there is no need for any separate direction and any direction if required would only for expediting the process of assessment.

4. Since the Writ Petition is not listed, the same is directed to be listed under the special list today.

5. In light of the narration of events as above, there is a direction to the respondent in the Writ Petition to continue with the process of assessment, hear



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the petitioner and pass suitable orders in accordance with law, within a period of eight (8) weeks from date of receipt of a copy of this order.

6. This Writ Petition is closed. No costs. Connected Miscellaneous Petition is also closed.

08.11.2022

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Index : Yes / No

Speaking Order

To

The Deputy Commissioner of Customs, (Group 5A),
Air Cargo, New Custom House,
Meenambakkam, Chennai-600 027.



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Dr.ANITA SUMANTH,J.

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