



WEB COPY



W.P.No.4010 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 29.11.2023

CORAM:

THE HONOURABLE Mr.JUSTICE KRISHNAN RAMASAMY

W.P.No.4010 of 2022

Jeena & Company

A partnership firm registered under the

Indian Partnership Act, 1932 and

Having Head Office at

Jeena House, Plot No.170, OM Nagar,

Off Pipe Line Road, Andheri (E), Mumbai – 400 099.

And Regional Office at

520, MKN Road, Alandur, Chennai – 600 016

Represented by its Power of Attorney Holder

Mr.B.Sekar.

... Petitioner

-Vs-

1.Union of India, through

The Joint Secretary

Ministry of Commerce and Industry

Having its office at Udyog Bhavan

New Delhi – 110 011.

2.Additional Director General

Directorate of Revenue Intelligence

27, G.N. (Chetty) Road

T.Nagar, Chennai – 600 017.

3.The Commissioner of Customs, Chennai – II

Commissionerate, Custom House,



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No.60, Rajaji Salai, Chennai – 600 001.

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4.The Commissioner of Customs (Preventive)
55-17-3, C-14, 2nd Road, Industrial Estate
Auto Nagar, Vijaywada – 520 007.

... Respondents

**[Cause Title amended as per order dated 29.11.2023 made by
Hon'ble KRJ in WMP.No.17709 of 2023 in W.P.No.4010 of 2022]**

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for a writ of Mandamus directing Respondent No.2 to refund to the Petitioner the amount of Rs.2,67,87,180/- deposited by the Petitioner during the investigation/show cause stage.

For Petitioner : Ms.Karthik Sundaram

For Respondents : Mr.A.Veeramani,
Central Govt. Counsel, for R1

Mr.V.Sundareswaran,
Senior Standing Counsel, for R2

Mr.Rajnish Pathiyil,
Senior Panel Counsel, for R3 & R4



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ORDER

This Writ Petition has been filed seeking for issuance of a Writ of Mandamus directing the second Respondent to refund to the Petitioner the amount of Rs.2,67,87,180/- deposited by the Petitioner during the investigation/show cause stage.

2.This Court vide order dated 29.11.2023 made in W.P.No.4005 of 2022 had already quashed the show cause notice issued by the second respondent and therefore, the petitioner is entitled for refund of a sum of Rs.2,67,87,180/- along with eligible rate of interest and the said exercise has to be carried by the respondents within a period of eight weeks from the date of receipt of a copy of this order.

3.The Writ Petition is disposed of with the above directions. No costs.

29.11.2023

Neutral Citation : Yes/No

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KRISHNAN RAMASAMY, J.

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To

The Joint Secretary
Ministry of Commerce and Industry
Union of India
Udyog Bhavan
New Delhi – 110 011.

W.P.No.4010 of 2022

Dated : 29.11.2023

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