

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.11.2017

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
AND
THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.A.No.694 OF 2015

M/s.Amrut Distilleries Ltd.,
rep. By its Company Secretary
K.Viswanathan Appellant

versus

1.The Authorized Officer,
Chennai Seaport & Airport
Food Safety and Standards Authority of India,
O/o the Deputy Director,
Rajaji Bhavan, Beasant Nagar,
Chennai 600 090

2.The Deputy Commissioner of Customs
(Docks Seaport), Customs House,
No.60 Rajaji Salai,
Chennai 90 ... Respondents

Appeal filed against the order passed by this Court dated
19.3.2015 passed in W.P.No.33478 of 2014.

Prayer in WP 33478/2014

This Writ Petition is filed under Article 226 of the
constitution of India praying for the issuance of Writ of
Certiorarified Mandamus to call for the records pertaining to
the impugned order dated 15.10.2014 passed by the 1st respondent
in F.No.R12/ 2014/FSSAI/ CHN-IMPORT and quash the same and
further direct the 1st respondent to send appropriate report
under the Foods Safety and Standards Act 2006 and the Rules and
Regulations made thereunder to the 2nd respondent to enable the
petitioner to clear the goods covered by Bill of Entry
No.6898217 dated 26.9.2014 for home consumption.

For appellant : Mr.Hari Radhakrishnan

For Respondents : No appearance

J U D G M E N T
(made by K.K.SASIDHARAN, J.)

The learned counsel for the appellant has made an endorsement indicating that he is withdrawing the appeal with liberty to take up all contentions before the Competent Authority in case show cause notice is issued in future.

2. In view of the endorsement made by the learned counsel for the appellant, the intra Court appeal is dismissed as withdrawn. No costs. Consequently, M.P.No.1 of 2015 is also dismissed.

3. We make it clear that in case proceedings are initiated by the Competent Authority, it is open to the appellant to defend it by taking all the available defences, and the observation made in the order by the learned Single Judge would not stand in the way of taking such course.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

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To

1.The Authorized Officer,
Chennai Seaport & Airport
Food Safety and Standards Authority of India,
Rajaji Bhavan, Beasant Nagar,
Chennai 600 090

2.The Deputy Commissioner of Customs
(Docks Seaport), Customs House,
No.60 Rajaji Salai, Chennai 90.

+1cc to Mr.Hari Radhakrishnan, Advocate, S.R.No.84665

W.A.No.694 OF 2015

DK (CO)

RRK(05/01/2018)