



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.04.2018

CORAM:

**THE HONOURABLE MR. JUSTICE K.RAVICHANDRABAABU
AND**

THE HONOURABLE MRS.JUSTICE T.KRISHNAVALLI

W.A[MD].No.1102 of 2016

and

C.M.P. (MD)No.6741 of 2016

in

W.P. (MD)No.9351 of 2016

N.Ponnappan

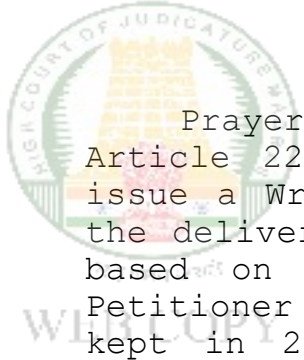
: Appellant/Petitioner

Vs.

- 1.The Assistant Commissioner of Customs,
Tuticorin Customs House, Tuticorin.
- 2.The Officer Incharge
Continental Warehousing Corporation
(Nhava Seva) Limited, Custom Freight Station,
Madurai By-pass Road, Meelavittam, Tuticorin.
- 3.Cosco India Shipping Pvt. Ltd.,
Tuticorin Branch Office,
Opp. to Rajaji Part, Palai Road,
Tuticorin - 2.
- 4.Vinod Varghes, Sparklewat Limited,
C/o.Master Distributor Limited,
Cosco Containers Limited,
Tuticorin Branch, Opp. to Rajaji Park, Palai Road,
Tuticorin.
- 5.S.Johnson
- 6.M/s.Tasty Nut Industries
Represented through its Managing Partner,
S.Mohammed Nowfal
K.P.Road,
Kilikollor Post,
Kollam -691 004
Kerala

: Respondents/Respondents

PRAYER: Appeal is filed under Clause 15 of Letters Patent Act, to
set aside the order of the learned single Judge of this Court, dated
01.07.2016 in W.P. (MD)No.9351 of 2016.



Prayer in WP(MD)No.9351/2016: Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the 1st Respondent to restrain the delivery of 18 containers of raw cashew to any other 3rd party based on any illegal amended bill of lading other than the Petitioner and consequently order to deliver the cargo which are kept in 2nd Respondent warehouse in bill of lading numbers 1. COSU6095467990-14.4.2016-4 Containers - 64.500MT - 860 bags 2. COSU6095468160-14.4.2016-8 Containers - 129.375MT - 1725 bags 3. COSU6095468170-14.4.2016-3 Containers - 48.000MT - 640 bags 4. COSU6095468180 -14.4.2016-3 Containers - 48.375MT - 645 bags TOTAL 18 Containers - 290.250 MT - 3870 bags to the Petitioner only according to law based on his representation dated 08.05.2016.

For Appellant	: Mr.S.Muthalraj
For R1	: Mr.S.Gurumoorthy
For R4	: Mr.C.Muthu Saravanan

JUDGEMENT

[Judgement of the Court was delivered
by K.RAVICHANDRABAABU, J]

The learned counsel appearing for the appellant seeks permission of this Court to withdraw this writ appeal. He has also made an endorsement to that effect.

2. In view of the endorsement made by the learned counsel appearing for the appellant, the Writ Appeal is dismissed as withdrawn. Consequently, connected Miscellaneous Petition is also dismissed. No costs.

Sd/-
Assistant Registrar(CSIII)

/True Copy/

Sub-Assistant Registrar

To

- 1.The Assistant Commissioner of Customs,
Tuticorin Customs House, Tuticorin.
 - 2.The Officer Incharge
Continental Warehousing Corporation
(Nhava Seva) Limited, Custom Freight Station,
Madurai By-pass Road, Meelavittam, Tuticorin.
- +1cc to Mr.D.Sivaraman, Advocate, SR.No.61249
rj2
RL/4C/2P/KK/SAR1/28/4/2018