

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.12.2019

CORAM :

The Hon'ble Mr.A.P.SAHI, THE CHIEF JUSTICE

AND

The Hon'ble Mr.JUSTICE SUBRAMONIUM PRASAD

W.P.Nos.11444 and 15843 of 2018
and W.M.P.Nos.13362 and 18844 of 2018

M/s.MKP Fashions,
Rep. by its Proprietor Mr.Promod Kumar
Kishorepuria. .. Petitioner in WP.11444/18

Manali Petrochemicals Limited,
Rep. by its Deputy General Manager
(Purchase), Mr.B.Sekar. .. Petitioner in WP.15843/18

-vs-

- 1.The Principal Director General,
Director General of Revenue Intelligence,
I.P.Estate, New Delhi.
- 2.The Director General of Revenue Intelligence,
I.P.Estate, New Delhi.
- 3.The Principal Commissioner,
Chennai-IV, Custom House,
Chennai 600 001.
- 4.The Principal Commissioner,
City Customs Commissionerate,
C.R.Building Kings Road, Bangalore.
- 5.The Additional Director General
(Adjudication), Directorate of
Revenue Intelligence, Mumbai.
- 6.The Union of India,
rep. by its Secretary,
Dept. of Revenue, Ministry of Finance,
North Block, New Delhi. .. Respds in WP.11444/18

- 1.The Principal Director General,
Director General of Revenue Intelligence,
I.P.Estate, New Delhi.
- 2.The Director General of Revenue Intelligence,
I.P.Estate, New Delhi.
- 3.The Commissioner of Customs,
Chennai-II, Custom House,
No.60, Rajaji Salai, Chennai 600 001.
- 4.The Additional Director General
(Adjudication), Directorate of
Revenue Intelligence, Office of the
Additional Director General (Adjudication),
2nd Floor, Old Building, New Custom House,
Ballard Estate, Mumbai - 400 001.
- 5.The Union of India,
rep. by its Secretary,
Dept. of Revenue, Ministry of Finance,
North Block, New Delhi. .. Respondents in WP.15843/18

Petitions filed under Article 226 of the Constitution of India praying for issue of Writ of Declaration declaring the Notification No.60/2015 dated 04.06.2015 and consequently the Notifications No.133/2015 dated 30.11.2015 and 10/2017-Customs (N.T.) dated 29.09.2017 issued by the sixth respondent in WP.11444/2018 and 12/2017-Customs (N.T./CAA/DRI) dated 24.10.2017 issued in the name of the second respondent in WP.15843/2018, as ultra vires to Section 152 of Customs Act, 1962.

For Petitioners in : Mr.S.Murugappan
both
Writ Petitions

For Respondents : Mr.K.S.Ramasamy,
CGSC for R-3
: No appearance for other
respondents in both WPs.

COMMON ORDER

(Order of the Court was made by The Hon'ble Chief Justice)

Heard Mr.S.Murugappan, learned counsel for the petitioners and Mr.K.S.Ramasamy, learned Central Government Standing Counsel for respondent no.3.

2.Learned counsel for the petitioners prays that the petitioners may be permitted to withdraw the writ petitions, without prejudice to their rights to raise any such issue, which may be available, in accordance with law before the appropriate forum. Learned counsel for the petitioners has made an endorsement to that effect in both the writ petitions.

3.Learned counsel for respondent no.3 has no objection for the withdrawal of the writ petitions.

The Writ Petitions are dismissed as withdrawn. There shall be no order as to costs. Consequently, connected miscellaneous petitions are also dismissed.

Sd/-
Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

sra
To

- 1.The Principal Director General,
Director General of Revenue Intelligence,
I.P.Estate, New Delhi.
- 2.The Director General of Revenue Intelligence,
I.P.Estate, New Delhi.
- 3.The Principal Commissioner,
Chennai-IV, Custom House,
Chennai 600 001.
- 4.The Commissioner of Customs,
Chennai-II, Custom House,
No.60, Rajaji Salai, Chennai 600 001.
- 5.The Principal Commissioner,
City Customs Commissionerate,
C.R.Building Kings Road, Bangalore.
- 6.The Additional Director General
(Adjudication), Directorate of
Revenue Intelligence, Office of the
Additional Director General (Adjudication),
2nd Floor, Old Building, New Custom House,
Ballard Estate, Mumbai - 400 001.

7.The Secretary to Govt. of India,
Dept. of Revenue, Ministry of Finance,
North Block, New Delhi.

+2ccs to Mr.V.Sundareswaran , Advocate SR.No. 106545

+1cc to Mr.K.S.Ramasamy , Advocate SR.No. 106163

+1cc to Mr.S.Murugappan , Advocate SR.No. 106754

+1cc to Mr.S.Murugappan , Advocate SR.No. 106757 (29/01/2020)

W.P.Nos.11444 and 15843 of 2018

A.SK(21/01/2020)