

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.11.2020

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. Nos. 6777 to 6780 of 2018

W.P. No. 6777 of 2018:-

M/s. Mars Shipping Services  
Old No.259, New No.144, Third Floor  
Thambu Chetty Street  
Chennai - 600 001  
By its Partner B.Ravi ... Petitioner

Vs.

The Principal Commissioner of Customs  
Chennai VII Commissionerate  
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 Certiorari, to call for the records comprised in Order in Original No.373/2016-AIR dated 20.05.2016 passed by the respondent herein and to quash the same.

For Petitioner : Mr. S.Baskaran

For Respondent : Mr. A.P.Srinivas  
Senior Standing Counsel

W.P. No. 6778 of 2018:-

B.Ravi, Partner  
M/s. Mars Shipping Services  
Old No.259, New No.144, Third Floor  
Thambu Chetty Street  
Chennai - 600 001. ... Petitioner

-vs-

The Principal Commissioner of Customs  
Chennai VII Commissionerate  
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 Certiorari, to call for the records comprised in Order in Original No.373/2016-AIR dated 20.05.2016 passed by the respondent herein and to quash the same.

For Petitioner : Mr. S.Baskaran

For Respondent : Mr. A.P.Srinivas  
Senior Standing Counsel

W.P. No. 6779 of 2018:-

R. Rangarajulu  
No.21, Sannathi Street  
Ganapathypuram, Chrompet  
Chennai - 600 044.

... Petitioner

-vs-

The Principal Commissioner of Customs  
Chennai VII Commissionerate  
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 Certiorari, to call for the records comprised in Order in Original No.373/2016-AIR dated 20.05.2016 passed by the respondent herein and to quash the same.

For Petitioner : Mr. S.Baskaran

For Respondent : Mr. A.P.Srinivas  
Senior Standing Counsel

W.P. No. 6780 of 2018:-

R.Suresh Krishnan, Partner  
M/s. Mars Shipping Services  
Old No.259, New No.144, Third Floor  
Thambu Chetty Street  
Chennai - 600 001.

... Petitioner

-vs-

The Principal Commissioner of Customs  
Chennai VII Commissionerate  
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 Certiorari, to call for the records comprised in Order in Original No.373/2016-AIR dated 20.05.2016 passed by the respondent herein and to quash the same.

For Petitioner : Mr. S.Baskaran

For Respondent : Mr. A.P.Srinivas  
Senior Standing Counsel

C O M M O N O R D E R  
(through video conference)

Heard Mr. S.Baskaran, Learned Counsel for the Petitioner and Mr. A.P.Srinivas, Learned Senior Standing Counsel appearing for the Respondent and perused the materials placed on record, apart from the pleadings of the parties.

2. When it is pointed out by Learned Senior Standing Counsel appearing for the Respondent that the Petitioner has got an effective alternative remedy to challenge the impugned orders by way of appeals before the Customs Excise and Service Tax Appellate Tribunal under Section 129-A(3) of the Customs Act, 1962, Learned Counsel for the Petitioner seeks permission of this Court to withdraw these Writ Petitions with liberty to resort to the aforesaid procedure. He has also filed memos dated 30.11.2020 to that effect through e-mail, which are placed on record.

3. Accordingly, these Writ Petitions are dismissed as withdrawn granting such liberty. It is made clear that for the purpose of reckoning limitation for availing the aforesaid remedy, the period from the date of filing of the Writ Petitions, viz., 26.08.2016, till the date on which the certified copy of this order is made ready by the Registry, shall be excluded. No costs.

s/d-  
Assistant Registrar

True Copy

Sub-Assistant Registrar

Maya

To

The Principal Commissioner of Customs  
Chennai VII Commissionerate  
New Custom House, Meenambakkam, Chennai - 600 027.

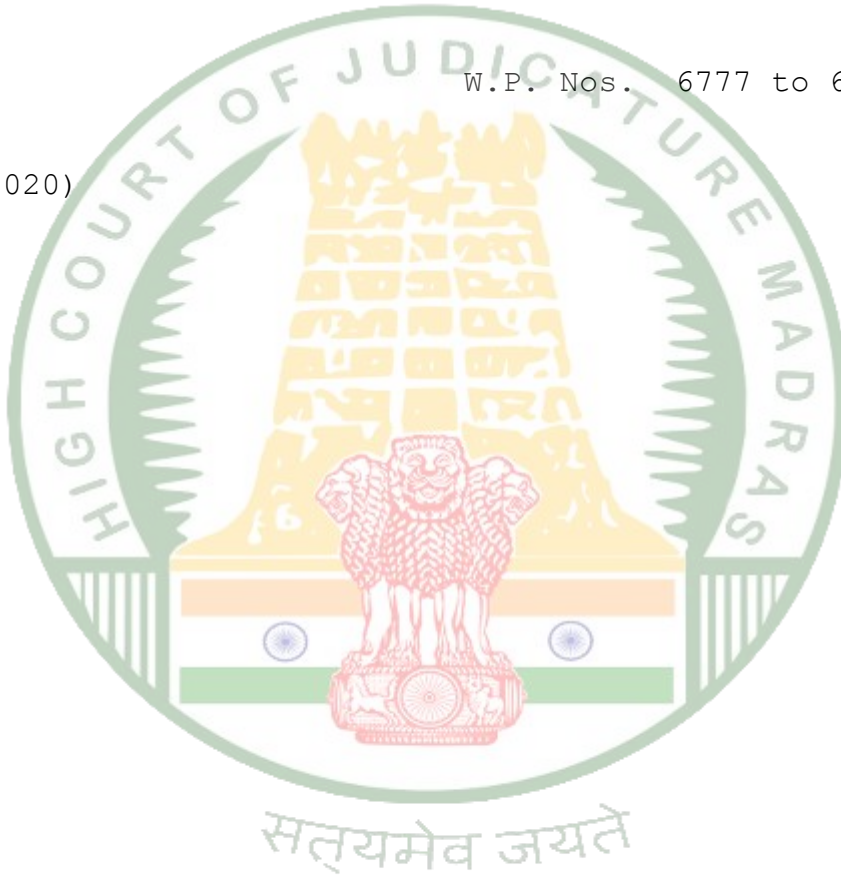
Copy to

The Section Officer  
ER Section  
High Court, Madras 104.

+1 CC to Mr.A.P. Srinivas, Advocate sr 38510.

W.P. Nos. 6777 to 6780 of 2018

BP(CO)  
SP(09/12/2020)



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