



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.02.2020

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THE HONOURABLE MR.JUSTICE M.DURAISWAMY

AND

THE HONOURABLE MR.JUSTICE T.RAVINDRAN

W.P(MD)Nos.3573 and 3575 of 2015

and

M.P. (MD)Nos.1 and 1 of 2015

W.P. (MD)No.3573 of 2015:

M/s.Premier Can Packs,
represented by its Partner,
S-22, SIDCO Industrial Estate,
Sulakarai, Virudhunagar-628 003.

... Petitioner

Vs.

1.The Union of India,
represented by its Secretary,
Ministry of Finance, New Delhi.

2.The Commissioner,
O/o The Commissioner of Central Excise,
Central Revenue Buildings,
Bibikulam, Madurai-625 002.

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Declaration to declare Rule 26 of the Central Excise Rules as ultra vires, confiscatory and beyond the provisions of the Central Excise Act.

For Petitioner : Mr.A.Uthayakumar

For Respondents : Mr.P.Paulpandi
Central Government Standing Counsel
for R.1

: Mr.S.Gurumoorthy for R.2

W.P. (MD)No.3575 of 2015:

M/s.Eswar Poly Pack,
represented by its Partner M/s Senthilkumaran
C-3, SIDCO Industrial Estate,
Sulakarai, Virudhunagar-628 003.

... Petitioner

Vs.



1.The Union of India,
represented by its Secretary,
Ministry of Finance, New Delhi.

2.The Commissioner,
O/o The Commissioner of Central Excise,
Central Revenue Buildings,
Bibikulam, Madurai-625 002.

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Declaration to declare Rule 26 of the Central Excise Rules as ultra vires, confiscatory and beyond the provisions of the Central Excise Act.

For Petitioner : Mr.A.Uthayakumar

For Respondents : Mr.P.Paulpandi
Central Government Standing Counsel
for R.1

: Mr.S.Gurumoorthy for R.2

COMMON ORDER

[Order of the Court was made by **M.DURAISWAMY, J.**]

The learned Counsel appearing for the petitioners seeks permission to withdraw the writ petitions and also made endorsements in the case bundles to that effect.

2. In view of the same, the Writ Petitions are dismissed as withdrawn. There shall be no order as to costs. Consequently, the connected Miscellaneous Petitions are also dismissed.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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To
The Secretary,
Union of India,
Ministry of Finance, New Delhi.

W.P.(MD)Nos.3573 and 3575 of 2015

03.02.2020

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