



WEB COPY



W.P.No.4476 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.12.2023

CORAM

THE HONOURABLE MR. JUSTICE KRISHNAN RAMASAMY

W.P.No.4476 of 2018

M/s. Integrated Engineering &
Export Pvt. Ltd.,
represented by its Managing Director,
Sri.M.Meganathan,
No.47, Sidco IV Phase,
Sipcot Industrial Complex,
Hosur 635 126.

... Petitioner

Vs.

1. The Assistant Commissioner of
Central Excise and Customs,
Hosur – II Division,
No.67/A, Sipcot Industrial Complex,
Hosur 635 126.
2. The Commissioner of Central Excise (Appeals),
No.26/1, Mahatma Gandhi Road,
Chennai 600 034.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India
praying for issuance of Writ of Certiorari to call for the records on the file



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of the 1st respondent in Appendix – IV – Notice of Attachment issued under Rule 9 and 10 of the Customs (Attachment of Property of Defaulters of Recovery of Government Dues) Rules, 1995 dated 18th January 2018 and quash the same as being contrary to the principle laid down by this Court in the judgment reported in 2015 (323) ELT 489 (Mad) (Malladi Drugs and Pharmaceuticals Ltd., Vs. Union of India) and therefore without jurisdiction and authority of law.

For Petitioner : Mr. P. Rajavelu

For Respondents : Mr. Rajnish Pathiyil
Senior Central Govt. Standing Counsel

ORDER

This Writ Petition is filed challenging the Notice of Attachment dated 18.1.2018, issued by the 1st respondent under Rule 9 and 10 of the Customs (Attachment of Property of Defaulters of Recovery of Government Dues) Rules, 1995 which is contrary to the principle laid down by this Court in the judgment reported in 2015 (323) ELT 489 (Mad) (Malladi Drugs and Pharmaceuticals Ltd., Vs. Union of India)



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2. Today when the matter is taken up for hearing, learned counsel appearing for the petitioner seeks permission of this court to withdraw this Writ Petition, as the matter has been settled out of Court by availing Government Dispute Resolution Scheme – SVLDRS, 2019 in the year 2019 itself. To that effect, he has also made an endorsement in the court bundle.

3. In view of the submission and endorsement made by the learned counsel for petitioner, this Writ petition is dismissed as withdrawn. No costs.

19.12.2023

msr

Index:Yes/No

Internet:Yes/No

To

1. The Assistant Commissioner of
Central Excise and Customs,
Hosur – II Division,
No.67/A, Sipcot Industrial Complex,
Hosur 635 126.
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KRISHNAN RAMASAMY, J.

msr

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