



WEB COPY



W.P.No.34002 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.06.2024

CORAM

**THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY**

W.P.No.34002 of 2023 and W.M.P.No.7391 of 2024

M/s. N. C. Alexander,  
Rep.by its Proprietor, Mr. N. C. Alexander ... Petitioner

Versus

- 1.Commissioner of Customs,  
Chennai -II, Commissionerate,  
Customs House, No.60, Rajaji Salai, Chennai – 1.
- 2.Additional Commissioner of Customs (Group 1),  
Office of the Commissioner of Customs,  
Chennai II (Imports), No.60, Rajaji Salai, Chennai – 1.
- 3.Assistant/Deputy Commissioner of Customs (Group 1),  
Office of the Commissioner of Customs,  
Chennai II (Imports), No.60, Rajaji Salai,  
Chennai – 1. ... Respondents

**Prayer:** Writ Petition filed under Article 226 of the Constitution of India, pleased to issue a Writ of Mandamus, to Directing the respondents, more particularly the 3rd respondent to assess and cause release of goods imported vide Bill of Entry No.8838798 dated 20.11.2023 pertaining to import of apples of various grades and counts from Turkey vide the above referred Bill of Entry covered under commercial invoice



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No.IK12023000000011 dated 23.10.2023, pending clearance, contrary to the citizens charter adopted by the office of the respondents and contrary to the law laid down by this Honourable High Court as modified by the division bench of this Honourable High Court.

For Petitioner : Mr. B. Satish Sundar & Dr.S.Krishnanandh  
For Respondents : Mr. K. Umesh Rao, Senior Standing Counsel

### **ORDER**

Learned counsel for the petitioner submits that he may permitted to withdraw this writ petition with liberty to re-file after amending the prayer. Such request is made in view of the orders issued by the Hon'ble Supreme Court of India. Learned senior standing counsel opposes the request for leave.

2. By granting leave as requested for, the writ petition is dismissed as withdrawn without any order as to costs. Consequently, the connected miscellaneous petition is also closed.

**06.06.2024**  
**(1/2)**

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W.P.No.34002 of 2023

To

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1. Commissioner of Customs,  
Chennai -II, Commissionerate,  
Customs House, No.60, Rajaji Salai,  
Chennai – 1.
2. Additional Commissioner of Customs (Group 1),  
Office of the Commissioner of Customs,  
Chennai II (Imports), No.60, Rajaji Salai,  
Chennai – 1.
3. Assistant/Deputy Commissioner of Customs (Group 1),  
Office of the Commissioner of Customs,  
Chennai II (Imports), No.60, Rajaji Salai,  
Chennai – 1.



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**SENTHILKUMAR RAMAMOORTHY,J**

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06.06.2024  
(1/2)