



WEB COPY



WP No.39315 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.12.2024

CORAM:

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P No.39315 of 2024
and
W.M.P.Nos.42569 and 42573 of 2024

M/s.TIL Healthcare Private Limited,
represented by its Authorized Signatory,
Mr.R.Vijayaragavan,
having its Registered Office at:
“Tagros House”,
3rd Floor, New No.4 (Old No.10)
Club House Road, Anna Salai,
Chennai 600 002.

... Petitioner

V.

1. The Commissioner of Customs (Appeals-I),
Office of the Commissioner of Customs (Appeals),
New Customs House, 3rd Floor,
No.60, Rajaji Salai,
Chennai 600 001.
2. The Deputy Commissioner of Customs (BRC-DBK),
Office of the Commissioner of Customs (IV),
Customs House, 5th Floor,
No.60, Rajaji Salai,
Chennai 600 001.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India,
for the issuance of a writ of Certiorarified Mandamus, calling for the



WP No.39315 of 2024

records of the 1st Respondent, culminating in the Impugned Order in Appeal bearing C.CUS. I. No.769 of 2024 dated 20th November, 2024 passed by the First Respondent declining to entertain the Appeal preferred by the Petitioner and to quash the same as being arbitrary against the principles of reasonableness and violative of the principles of natural justice, and to consequently direct the Second Respondent, to provide the Petitioner with an opportunity to file its detailed reply/documents and be heard prior to the said authority initiating any coercive action against the Petitioner including but not limited to recover any amount from the Petitioner pursuant to the order dated 27th March, 2021 being Order in Original bearing No.82355 of 2021.

For the Petitioner

:Mr.S.Raghunathan

For Respondent

:Mr.Rajnish Pathiyil
Senior Standing Counsel

ORDER

The present writ petition is filed praying to call for the Impugned Order in bearing C.CUS.I.No.769 of 2024 dated 20th November, 2024 passed by the 1st Respondent, quash the same and to consequently direct the 2nd Respondent, to provide the petitioner with an opportunity to file its detailed reply/documents and not to recover any amount from the petitioner pursuant to the order bearing No.82355 of 2021 dated 27.03.2021.



WP No.39315 of 2024

2. After submitting for a brief while, the learned counsel for the petitioner seeks permission of this Court to withdraw the writ petition with liberty to challenge the order of adjudication dated 27.03.2021.

3. Recording the submission and endorsement made by the learned counsel for the petitioner, the writ petition stands dismissed as withdrawn with liberty to challenge the order of adjudication bearing No.82355 of 2021 dated 27.03.2021. No Costs. Consequently connected miscellaneous petitions are closed.

20.12.2024

Index : Yes/No
Neutral Citation : Yes/No
spp



WP No.39315 of 2024

To:

WEB COPY

1. The Commissioner of Customs (Appeals-I),
Office of the Commissioner of Customs (Appeals),
New Customs House, 3rd Floor,
No.60, Rajaji Salai,
Chennai 600 001.
2. The Deputy Commissioner of Customs (BRC-DBK),
Office of the Commissioner of Customs (IV),
Customs House, 5th Floor,
No.60, Rajaji Salai,
Chennai 600 001.



WEB COPY



WP No.39315 of 2024

MOHAMMED SHAFFIQ, J.

spp

W.P No.39315 of 2024

and

W.P.No.42569 and 42573 of 2024

20.12.2024



WEB COPY



WP No.39315 of 2024