

APHC010264972025



**IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)**

[3585]

THURSDAY, THE FOURTEENTH DAY OF MAY
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

THE HONOURABLE SRI JUSTICE BALAJI MEDAMALLI

WRIT PETITION NO: 13267/2025

Between:

1.AJ FABRICS, A PROPRIETOR FIRM REPRESENTED BY ITS
AUTHORISED REPRESENTATIVE MR. KOLLERU SRINIVAS,
S/O KOLLERU NANCHARAI AH AGED ABOUT 50 YEARS
14/196-52-4, BYPASS ROAD, TEMPLE COLONY NARAYANA
PURAM, NEAR VASAVI BHAVAN, VTC MACHILIPATNAM, PO
MACHILIPATNAM KRISHNA DISTRICT 521001 HAVING THEIR
OFFICE SITUATED AT SURVEY NO 44, PLOT NO 36/A,
SINGAPORE, BHARI MATA ROAD, SURAT, GUJARAT, 395004,
INDIA.

...PETITIONER

AND

- 1.THE UNION OF INDIA, REPRESENTED BY ITS SECRETARY
DEPARTMENT OF REVENUE MINISTRY OF FINANCE, NEW
DELHI.
- 2.CENTRAL BOARD OF INDIRECT TAXES CUSTOMS,
REPRESENTED BY ITS CHAIRMAN, NEW DELHI
- 3.PRINCIPAL COMMISSIONER, CUSTOMS COMMISSIONERATE
CUSTOMS HOUSE, PORT AREA, VISAKHAPATNAM..
- 4.CHIEF COMMISSIONER CUSTOMS, VISAKHAPATNAM PORT
TRUST, CUSTOMS HOUSE, PORT AREA, VISAKHAPATNAM. I

5.DIRECTORATE OF REVENUE INTELLIGENCE, REPRESENTED BY DIRECTOR GENERAL FLOOR, D-BLOCK, IP BHAWAN ESTATE, NEW DELH

6.DEPUTY DIRECTOR, DIRECTORATE OF REVENUE INTELLIGENCE VISAKHAPATNAM REGIONAL UNIT PLOT NO. 31, NAUKANAGAR, PEDDA WALTAIR, VISAKHAPATNAM 530017

...RESPONDENT(S):

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased topleased to issue an order or a writ,specifically one in the nature of writ of mandamus, to declare the Seizure Memo and consequential order vide F.No DR1/HZU/VRU/26/ENQ-06(INT-03)/2025 Dt.Nil-05.2025 and Letter vide C.No 1-Cus/CRCL/Misc. Corres/2022 Dt. 13.05.2025 as illegal, arbitrary and violative of Article 14, 19 and 21 of the Constitution of India and in utter disregard to the provisions of the Customs Act, 1962 and Consequently set aside the same and direct the Respondents to forthwith release the Stock Mixed Paraffin Oil bearing Bills of Entry Nos 8929666, 8929663, and 8929664 dated. 17.03.2025 and also compensate the petitioner for the Demurrage along with the other Charges and pass such other order or orders as this Hon'ble High Court may deem fit proper in the circumstances of the present case. Main prayer was amended as per c.o.dt.11.09.2025 vide I.A.No.3 of 2025in w.p.No.13267 of 2025.

IA NO: 1 OF 2025

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased Pleased to direct the Respondents to forthwith release the Stock Mixed Paraffin Oil, imported by the petitioner bearing Bills of Entry Nos 8929666, 8929663, and 8929664 dated. 17.03.2025 pending disposal of the main writ petition and pass

IA NO: 2 OF 2025

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased pleased to direct the Respondent No.6 to consider the

Representation dated. 02.05.2025 addressed by the Petitioner and pass speaking orders pending disposal of the Writ Petition and pass

IA NO: 3 OF 2025

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to permit the petitioner to amend the main prayer in WP No 13267 of 2025 as follows: It is therefore humbly prayed that this Hon'ble Court may be pleased to declare the Seizure Memo and consequential order vide F.No DR1/HZUA/RU/26/ENQ-06(INT-03)/2025 Dt. Nil-05.2025 and Letter vide C.No 1-Cus/CRCL/Misc.Corres/2022 Dt. 13.05.2025 as illegal, arbitrary and violative of Article 14, 19 and 21 of the Constitution of India and in utter disregard to the provisions of the Customs Act, 1962 and Consequently set aside the same and direct the Respondents to forthwith release the Stock Mixed Paraffin Oil bearing Bills of Entry Nos 8929666, 8929663, and 8929664 dated. 17.03.2025 and also compensate the petitioner for the Demurrage along with the other Charges and pass

IA NO: 1 OF 2026

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to grant permission and permit the petitioner to withdraw the present writ petition with liberty to the petitioner to pursue appropriate proceedings/remedies before the authorities in accordance with the provisions of the Customs Act, 1962 also with liberty to file a fresh writ petition if necessity arises and pass

Counsel for the Petitioner:

1.RAVITEJA PADIRI

Counsel for the Respondent(S):

1.SANTHI CHANDRA (Sr. Standing Counsel for CBIC)

2.

The Court made the following:

ORDER :- *(per Hon'ble Dr. Justice Y. Lakshmana Rao)*

Mr. Raviteja Padiri, learned counsel for the petitioner, has filed I.A.No.1 of 2026 seeking permission of the Court to withdraw the present writ petition.

2. Permission is accorded.
3. Accordingly, the Writ Petition is dismissed as withdrawn.

There shall be no order as to costs.

As a sequel, miscellaneous petitions pending, if any, shall stand closed.

Dr.Y. LAKSHMANA RAO, J

BALAJI MEDAMALLI, J

Date : 14.05.2026.

RPD/CBN.

24

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO
THE HONOURABLE SRI JUSTICE BALAJI MEDAMALLI

(DISMISSED AS WITHDRAWN)

WRIT PETITION NO: 13267 of 2025

Date : 14.05.2026.

RPD/CBN.