

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

THURSDAY, THE 2ND DAY OF JULY 2015/11TH ASHADHA, 1937

WP(C).No. 19947 of 2015 (P)

PETITIONER:

**SHRI. THOMAS GEORGE MUTHOOT,
MUTHOOT HOUSE, KOZHENCHERRY,
PATHANAMTHITTA DISTRICT - 689 641.**

**BY SRI.T.M.SREEDHARAN (SENIOR ADVOCATE)
ADVS. SRI.V.P.NARAYANAN
SMT.DIVYA RAVINDRAN**

RESPONDENT(S):

- 1. THE DEPUTY/ASSISTANT COMMISSIONER
OF INCOME TAX, CIRCLE 1,
ENNIKKATTIL ESTATE, NEAR K.S.R.T.C BUS STATION,
THIRUVALLA - 689 101.**
- 2. THE COMMISSIONER OF INCOME TAX (APPEALS),
PUBLIC LIBRARY BUILDINGS, SASTRI ROAD,
KOTTAYAM 686 001.**

BY SRI.JOSE JOSEPH, SC

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 02-07-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

mbr/

APPENDIX

PETITIONER(S)' EXHIBITS:

- EXHIBIT P1. TRUE COPY OF THE ASSESSMENT ORDER AND DEMAND NOTICE DATED 29.12.14 FOR THE ASSESSMENT YEAR 2012-13 PASSED BY THE FIRST RESPONDENT.
- EXHIBIT P2. TRUE COPY OF THE MEMORANDUM OF APPEAL DATED 15.1.15 SUBMITTED BY THE PETITIONER BEFORE THE 2ND RESPONDENT.
- EXHIBIT P3. TRUE COPY OF THE NOTICE DATED 19.6.15 ISSUED BY THE 1ST RESPONDENT.
- EXHIBIT P4. TRUE COPY OF THE STAY PETITION DATED 27.6.15 SUBMITTED BY THE PETITIONER BEFORE THE 2ND RESPONDENT.

RESPONDENTS' EXHIBITS: NIL.

//TRUE COPY//

P.S. TO JUDGE

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A.MUHAMED MUSTAQUE, J.

W.P.(C) No.19947 of 2015

Dated this the 2nd day of July, 2015

JUDGMENT

The petitioner, impugning Ext.P1 Assessment Order, filed Ext.P2 appeal before the second respondent. The petitioner also filed Ext.P4 stay application.

2. Considering the facts and circumstances, there shall be a direction to the second respondent to consider the stay application within a period of two months after issuing notice to the petitioner. Till the disposal of the stay application, all recovery proceedings based on the Assessment Order shall be kept in abeyance.

The writ petition is disposed of as above.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

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