

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. 19957 of 2015 (T)

PETITIONER :

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

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

RESPONDENT(S) :

- 1. THE DEPUTY/ASSISTANT COMMISSIONER OF INCOME TAX
CIRCLE - 1, ENNIKATTIL 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.**

R1 & R2 BY ADV. 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:**

Mn

...2/-

WP(C).No. 19957 of 2015 (T)

APPENDIX

PETITIONERS' EXHIBITS :

- EXHIBIT P1. COPY OF THE ASSESSMENT ORDER AND DEMAND NOTICE DATED 30.12.14 FOR THE ASSESSMENT YEAR 2012-13 PASSED BY THE FIRST RESPONDENT.
- EXHIBIT P2. COPY OF THE MEMORANDUM OF APPEAL DATED 15.1.15 SUBMITTED BY THE PETITIONER BEFORE THE 2ND RESPONDENT.
- EXHIBIT P3. COPY OF THE NOTICE DATED 19.6.15 ISSUED BY THE 1ST RESPONDENT.
- EXHIBIT P4. COPY OF THE STAY PETITION DATED 27.6.15 SUBMITTED BY THE PETITIONER BEFORE THE 2ND RESPONDENT.

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.A. TO JUDGE

Mn

A.MUHAMED MUSTAQUE, J.

W.P.(C) No.19957 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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