

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.08.2016

CORAM:

THE HONOURABLE MR.JUSTICE B.RAJENDRAN

WP.Nos.20845 to 20847 of 2016
WMP.Nos.17859 to 17861 of 2016

M/s.Buhari Hotels and
Motels Pvt Limited
by its Director Mumtaz Buhari,
Chennai-8

Petitioner in all WPs

Vs

The Joint Commissioner
of Income Tax
Corporate Circle I(2),
Nungambakkam
Chennai-34

Respondent in all
WPs

Prayer:- These Writ Petitions are filed to issue a Writ of Certiorarified Mandamus to call for the records of the Respondent in PAN:AAECB4681M, dated 9.6.2016, relating to the assessment year 2008-2009, 2011-2012 and 2013-2014 and to quash the same and to stay recovery of the disputed demand till the disposal of the statutory appeal filed and pending before the Commissioner of Income Tax (Appeals).

For Petitioner : Dr.Anita Sumanth

For Respondent : Mr.T.Ravikumar

ORDER

These Writ Petitions are filed to issue a Writ of Certiorarified Mandamus to call for the records of the Respondent in PAN:AAECB4681M, dated 9.6.2016, relating to the assessment year 2008-2009, 2011-2012 and 2013-2014 and to quash the same and to stay recovery of the disputed demand till the disposal of the statutory appeal filed and pending before the Commissioner of Income Tax (Appeals).

2. This court heard the learned counsel on either side and also perused the materials placed on record.

3. After some elaborate arguments, it is brought to the notice of court by the learned counsel for the Petitioner that the appeals filed against the impugned orders are pending before the Appellate Authority. As per the directions of this

court, the learned counsel for the Respondents also verified and reported that the amount as stated by them had been deposited into the Department. In view of the same, it is suffice to direct the Appellate Authority to dispose of the appeals filed by the Petitioner. Accordingly, the Appellate Authority is directed to dispose of the appeals filed by the Petitioner, on merits and in accordance with law, as expeditiously as possible. In the mean while, there shall not be any recovery.

4. With the above directions, these Writ Petitions are disposed of. No costs. Consequently, the connected MPs are closed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

Srcm

To:

1. The Joint Commissioner of Income Tax
Corporate Circle I(2), Nungambakkam
Chennai-34

2. Commissioner of Income Tax (Appeals) Chennai.

+ 1 cc to M/s. Dr. Anitha Sumanth, Advocate, S.R.No.46027

+ 1 cc to Mr.T. Ravikumar, Advocate SR.46161

AK(CO)
EU(08/09/2016)

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