

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.8.2016

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

Writ Petition No.26689 of 2016 & WMP.No.22914 of 2016

M/s.Toiling Masses Welfare Trust, rep.
by its Trustee Mr.G.Ramakrishnan

...Petitioner

Vs

The Income Tax Officer (Exemptions),
Ward IV, No.121, Mahatma Gandhi
Road, Chennai-34.

...Respondent

PETITION under Article 226 of The Constitution of India
praying for the issuance of a Writ of Certiorari to call for the
records of the respondent on its file in F.No.AAATT6230F and
quash the impugned notice dated 14.7.2016.

For Petitioner : Mr.J.Balachander

For Respondent : Mr.J.Narayanasamy

ORDER

Mr.J.Narayanasamy, learned Standing Counsel accepts notice
for the respondent. Heard both.

2. The petitioner challenges an interim order passed by the
respondent dated 14.7.2016, which, in fact, is consequent upon
the decision of the Income Tax Appellate Tribunal in
I.T.A.No.1597/Mds/2014 dated 6.11.2015 for the assessment year
2010-11. The appeal filed by the respondent before the Income
Tax Appellate Tribunal was allowed and the cross objection filed
by the assessee was dismissed. Consequently, the respondent
directed the petitioner to pay the amount of Rs.5,72,195/- and
in default, the petitioner was informed that they would be
treated as the assessee in default and action would be taken
against recovery of the demand.

3. Though the order was passed by the Tribunal on 6.11.2015,
it is stated that the petitioner has not challenged the same.
There is no error in the impugned order.

4. Accordingly, the writ petition fails and is dismissed. No costs. Consequently, the above WMP is also dismissed.

5. Considering the submissions made by the learned counsel for the petitioner, the time limit prescribed in the impugned order to effect payment on or before 22.7.2016 is extended till 12.8.2016.

6. Except for the above relief, the writ petition stands dismissed in all other aspects.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

To
The Income Tax Officer (Exemptions), Ward IV, No.121, Mahatma
Gandhi
Road, Chennai-34.

1 cc to Mr.J.Balachander, Advocate, sr.43495

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