

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 17.08.2017

Coram

The Hon'ble Mr.Justice T.S.Sivagnanam

Writ Petition No.10437 of 2017

and

W.M.P.No.11312 of 2017

Ashok Zacharaiah

...Petitioner

Vs.

1. M/s. Chennai Metro Rail Ltd.,
rep. by its Managing Director,
Chennai Unit II,
Poonamallee High Road,
Koyambedu, Chennai - 600 107.
2. The Income Tax Officer,
Non Corporate Ward 7 (1)
Income Tax Department,
Aayakar Bhawan,
Office of the Chief Commissioner of Income Tax,
Chennai, 121 M.G. Road, Nungambakkam,
Chennai- 600 034.

...Respondents

Writ Petition, filed under Article 226 of the Constitution of India, for issuance of Writ of Mandamus, directing the first respondent to pay the amounts, as per its Relief and Rehabilitation Policy Package of CMRL together with interest at 18% per annum from the date of possession (February, 2012) till the date of payment and further, to disburse the Tax

Deductible at Source (TDS) to the second respondent, as specified under Form 26 AS read with Section 203 AA of Income Tax Act, 1961.

For Petitioner : Mr.V. Raghavachari

For Respondent-1 : Mr. Jayesh B. Dolia

For Respondent-2 : Mrs.Hema Murali Krishnan
Senior Standing Counsel

ORDER

Heard Mr. V. Raghavachari, learned counsel appearing for the petitioner, Mr. Jayesh B. Dolia, the learned counsel for the first respondent and Mrs.Hema Murali Krishnan, the learned Senior Standing Counsel for the second respondent.

2. The learned counsel for the first respondent/Chennai Metro Rail Limited (CMRL) submits the balance amount of Rs.24,000/- has been paid to the petitioner, by way of a Cheque, dated 08.08.2017, bearing No.458032. The petitioner has also acknowledged the same. The photostat copy of the Cheque and the Acknowledgment has been produced before me. The learned counsel appearing for the petitioner submits that the same may be recorded.

3. Accordingly, this Writ Petition is disposed of, by recording the

payments effected to the petitioner. It is made clear that the compensation paid by the first respondent/CMRL is only for shifting allowance and subsistence allowance, and this has got nothing to do with the claim for enhanced compensation for the land acquired, which is now pending before the learned Principal Judge, City Civil Court, Chennai. No costs. Consequently, connected Writ Miscellaneous Petition is closed.

17.08.2017

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Index : yes/no

To

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T.S.Sivagnanam, J.

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