

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Special Original Jurisdiction)

Monday, the Twenty Seventh day of November Two Thousand Seventeen

PRESENT

THE HON'BLE MR.JUSTICE T.S.SIVAGNANAM

WMP No.25646 of 2017

IN WP.24261/2017

1 LALITHAA JEWELLERY MART (P)LTD [PETITIONERS]
REP.BY ITS GENERAL MANAGER / AUTHORISED
SIGNATORY, MR. INDERMAL RAMANI,
123, USMAN ROAD, PANAGAL PARK, T.NAGAR,
CHENNAI - 600 017.

2 BB JEWELLERS & MANUFACTURERS
REP.BY ITS PARTNER MR. D. PADMANABHAN,
NO.3-B, KENCES, SUNDAR FLAT, NO.15/21,
RAGHAVIAH ROAD, T. NAGAR, CHENNAI - 600 017.

3 CHAKRABORTY JEWELLERS
REP.BY IS PARTNER. MR. GOUTAM CHAKRABORTY,
NO.16, GOPALCHANDRA BOSE LANE, KOLKATA-700 050.

4 GOUTAM CHAKRABORTY
S/O. DINABANDHU CHAKRABORTY,
NO.16, GOPALCHANDRA BOSE LANE,
KOLKATA - 700 050.

Vs

1 DEPUTY DIRECOTOR OF INCOME TAX [RESPONDENTS]
(INVESTIGATION) UNIT - 3(2), NO.108,
NUNGAMBAKKAM HIGH ROAD, CHENNAI - 600 034.

2 DEPUTY DIRECTOR OF INCOME TAX
(INVESTIGATION), UNIT - 1(3), AAYAKAR BHAWAN
ANNEXE, P-13, CHOWRINGHEE SQUARE, KOLKATA -700 069.

3 THE INCOME TAX OFFICER
CENTRAL CIRCLE -1(4), OFFICE OF THE INCOME
TAX DEPARTMENT, AYAKAR BHAVAN, M.G. ROAD,
NUNGAMBAKKAM, CHENNAI - 600 034.

4 MOHANLAL JEWELLERS(P) LTD
REP.BY ITS DIRECTOR SURESH KUMAR KHATRI,
NO.139-141 (OLD NO.68-69), N.S.C BOSE ROAD,
CHENNAI - 600 001.

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to grant an order of interim direction directing the 2nd respondent to release the gold bullion and jewellery seized vide Panchanama warrant No.8609, dated 01.07.2016 by the 2nd respondent to the custody of the 1st petitioner and also to pay interest in accordance with section 132B of the Income Tax Act 1961.

Order : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of MR.N.MURALI KUMARAN FOR M/S.MCGAN LAW FIRM, Advocate for the petitioner, the court made the following order:-

Direction, if, sought is to be granted, it would be allowing of writ petition itself at the interim stage, which is impermissible.

Accordingly, this petition is dismissed.

-sd/-
27/11/2017

/ TRUE COPY /

Sub Assistant Registrar (Statistics / C.S.)
High Court, Madras - 600 104.

TO

1 THE DEPUTY DIRECTOR OF INCOME TAX
(INVESTIGATION) UNIT - 3(2), NO.108,
NUNGAMBAKKAM HIGH ROAD, CHENNAI - 600 034.

2 THE DEPUTY DIRECTOR OF INCOME TAX
(INVESTIGATION), UNIT - 1(3), AAYAKAR BHAVAN
ANNEXE, P-13, CHOWRINGHEE SQUARE,
KOLKATA -700 069.

3 THE INCOME TAX OFFICER
CENTRAL CIRCLE -1(4), OFFICE OF THE INCOME
TAX DEPARTMENT, AAYAKAR BHAVAN, M.G. ROAD,
NUNGAMBAKKAM, CHENNAI - 600 034.

C.C. to M/S.MCGAN LAW FIRM Advocate on payment of necessary charges

Order

in
WMP.25646/2017

in
WP.24261/2017

Date :27/11/2017

From 26.2.2001 the Registry is issuing certified
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JK 28/11/17