

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.07.2017

CORAM

THE HON'BLE Mr. JUSTICE M.DHANDAPANI

W.P.No.8183 of 2004
and
W.P.M.P.No.9646 of 2004

M.Sathiyamoorthi

.. Petitioner

Vs.

The Assistant Commissioner of
Income-Tax, Salary Circle-I,
4th Floor, Aayakar Bhawan,
No.121, Mahatma Gandhi Salai,
Chennai-600 034.

.. Respondent

Writ Petition is filed under Article 226 of The Constitution of India praying for the issuance of a writ of Mandamus, forbearing the respondent from completing the re-assessment proceedings in the case of the petitioner under Sec.153(2) of the Income Tax Act, 1961, on or before 31.03.2004, in pursuance of his notice in GI No.1726-S dated 26.03.2003 issued to the petitioner under Section 148 of the Income Tax Act, 1961 till the disposal of Crl. Appeal No.452/2000 pending on the file of this Court.

For Petitioner : M/s.Chandran
For Respondent : Mr.A.W.R.Jayaprathap

ORDER

The petitioner filed this Writ Petition forbearing the respondent from completing the reassessment proceedings in the case of the petitioner under Sec.153(2) of the Income Tax Act, 1961, on or before 31.03.2004, in pursuance to the notice in GI No.1726-S dated 26.03.2003 issued to the petitioner under Section 148 of the Income Tax Act, 1961 till the disposal of Crl. Appeal No.452 of 2000 pending on the file of this Court.

2. Heard the learned counsel for the petitioner as well as the learned counsel for the respondent.

3. Now, the learned counsel for the petitioner submitted that the Criminal Appeal was already disposed.

4. Though the learned counsel for the petitioner submitted that he had already given change of vakalat he is not able to get instruction from his client.

5. Learned counsel for the respondent submitted that already the Criminal Court convicted the person for misappropriation against which the petitioner filed an appeal before this Court. The said criminal appeal in CrI. Appeal No.452 of 2000 was also disposed of. Hence, nothing survives in this Writ Petition. Hence, this Writ Petition is closed. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

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To

The Assistant Commissioner of
Income-Tax, Salary Circle-I,
4th Floor, Aayakar Bhawan,
No.121, Mahatma Gandhi Salai,
Chennai-600 034.

+ cc to Mr.A.P.Srinivas Advocate sr 50276

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