

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.07.2017

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGANANAM

W.P.No.7230 of 2016
and W.M.P.Nos.6425 & 6426 of 2016

The Secretary,
Loyola College (Autonomous)
Sterling Road, Nungambakkam,
Chennai - 600 034.

.. Petitioner

Vs.

- 1.The Central Board of Direct Taxes,
Rep. By its Chairman,
Room No.155A, North Block,
New Delhi -110 001.
- 2.The Principal Chief Commissioner
of Income Tax, Tamil Nadu,
No.121, Mahatma Gandhi Road,
Chennai - 600 034.
- 3.The Income Tax Officer,
O/o Principal Chief Commissioner,
of Income Tax, Tamil Nadu,
No.121, Mahatma Gandhi Road,
Chennai - 600 034.
- 4.The Director of Treasuries & Accounts,
Saidapet, Chennai - 600 015.
- 5.The Pay & Accounts Officer (North)
Treasuries & Accounts Department,
Chennai - 600 001.
- 6.The District Treasury Officer,
Kuralagam Building, 1st Floor,
Chennai - 600 001.
- 7.The Director of Collegiate Education,
College Road, Chennai - 600 006.
- 8.The Joint Director of Collegiate Education,
Chennai Region,
Saidapet, Chennai - 600 015.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorari, calling for the records relating to the impugned proceedings issued by the 2nd Principal Chief Commissioner of Income Tax, Tamil Nadu, Chennai in Letter C.No.Misc/PRO/2015-2016 dated 07.10.2015 and the consequent circular of the 4th respondent Director of Treasuries and Accounts in Rc.No.23545/2014/E1 dated 26.10.2015 insisting upon the petitioner to deduct Income Tax (TDS) from the salaries of the Religious Fathers in the service of the petitioner's college, viz., Rev.Dr.G.Joseph Antony Samy, S.J., Rev.Dr.A.Thomas, S.J., Rev. Dr.S.Rajanayagam, S.J., Rev.Dr.John Bosco, S.J., Rev.Dr.S.Samuel Jayaseelan, S.J., and Rev. Fr.A.Louis Arockiaraj, S.J., quash the same.

For Petitioner : Ms.H.Mary Sowmi Rexi
For Respondents : Mrs.Hema Muralikrishnan for R1 to R3
Mrs.A.Srijayanthi,
Spl. Government Pleader for R4 to R8

O R D E R

Heard Ms.H.Mary Sowmi Rexi, learned counsel for the petitioner; Mrs.Hema Muralikrishnan, learned Standing Counsel appearing for respondents 1 to 3 and Mrs.A.Srijayanthi, learned Special Government Pleader appearing for respondents 4 to 8.

2. It is submitted on either side that the prayer sought in the writ petition is squarely covered by the decision of this Court in the case of Institute of the Franciscan Missionaries of Mary Vs. Union of India, in W.P.No.37565 of 2015 etc. batch, dated 22.12.2016.

3. Following the same, the Writ Petition is allowed on the same lines. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Asst.Registrar

/true copy/

Sub Asst. Registrar

vsm
To

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 8. The Joint Director of Collegiate Education,
Chennai Region,
Saidapet, Chennai - 600 015.
- + 1 cc to M/s.Godson Swaminath Advocate,SR.47603
- + 1 cc to M/s.Hema Muralikrishnan, Advocate,SR.47882

W.P.No.7230 of 2016

NR 24/07/2017

सत्यमेव जयते

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