

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:10.07.2017

CORAM

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

W.P.No.34542 of 2003 and
W.P.M.P.Nos.169 & 170 of 2014

V.Sukumar

... Petitioner

Vs.

1. The Deputy Commissioner of Income Tax,
Circle-I, D.P.Thottam,
Off.M.G.Road,
Pondicherry-605 003.
2. The Superintendent of Police,
Central Bureau of Investigation,
Anti Corruption Unit,
Sastri Bhavan, Nungambakkam,
Chennai-600 034.
3. M/s.Srivari Mutual Benefit Finance Ltd,
No.24, (Old No.42), 4th Cross,
Brindavanam,
Pondicherry-605 013.
4. Dr.V.Sambasivam,
No.24, (Old No.42), 4th Cross,
Brindavanam,
Pondicherry- 605 013.

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India praying to issue a writ of Certiorarified Mandamus, to call for the records and quashing the order of the first respondent dated 17.11.2003, in G.I.No.1016-S/PAN:AABCS3072Q and consequently direct the first respondent to proceed against the third and fourth respondent, who are currently connected with the management and administration of the company and who are holding all the details called for by the first respondent.

For Petitioner : Mr.M.P.Senthil Kumar

For Respondents: Mr.A.P.Srinivas,
Senior Central Govt. Standing Counsel
Mr.A.N.Jayaprathap

O R D E R

Heard Mr.M.P.Senthil Kumar, learned counsel for the petitioner and Mr.A.P.Srinivas, learned Senior Central Government Standing Counsel appearing for the respondents.

2. Though the petitioner had challenged the order passed by the Assessing Officer dated 17.11.2003, under section 2 (35)(b) of the Income Tax Act, 1961, the learned counsel for the petitioner reports that already the assessment has been completed in the name of the company viz., Srivari Mutual Benefit Finance Limited, represented by one T.Natarajan, on 31.12.2009, as against which, the Company has preferred an appeal before the Income Tax Appellate Tribunal Bench "C" Chennai, in ITA Nos.2845,2730 and 2749/Mds/2005, for the assessment years 1996-1997 and 1997-1998, and the tribunal has disposed of the appeals by order dated 15.01.2009.

3. In the light of the subsequent developments, nothing survives for adjudication in this writ petition. Accordingly, the writ petition is closed. Consequently, the miscellaneous petitions filed for impleading are also closed as unnecessary. No costs.

-s/d-

Assistant Registrar (CS-VIII)

True Copy

Sub-Assistant Registrar

gsk/tar
To

1. The Deputy Commissioner of Income Tax,
Circle-I, D.P.Thottam,
Off.M.G.Road,
Pondicherry-605 003.
2. The Superintendent of Police,
Central Bureau of Investigation,
Anti Corruption Unit,
Sastri Bhavan, Nungambakkam,
Chennai-600 034.

+1 CC to Mr. A.P. Srinivas, Advocate sr 48387
+1 CC to Mr. Philip George, Advocate sr 48492
+1 CC to Mr.S. Krishnasamy, Advocate sr 47742
+1 CC to Mr.T.K. Baskar, advocate sr 47875

W.P.No.34542 of 2003