

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.07.2017

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.29561 of 2003

&

W.P.M.P.No.36075 of 2003

P.Srinivasan

... Petitioner

Vs.

1. The Deputy Commissioner of Income Tax,
Central Circle-II (2),
121, Nungambakkam High Road,
Chennai - 600 034.
 2. The Commissioner of Income Tax (Appeals),
Central-II, Chennai - 600 034.
 3. The Income Tax Appellate Tribunal "B" Bench,
Rajaji Bhavan, Besant Nagar,
Chennai - 600 090.
- ... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a writ of certiorarified mandamus to call for the records of the petitioner in GIR No.7035 on the file of the first respondent and quash the impugned notice dated 22.09.2003 and consequently direct the second and third respondents to dispose of the stay petition for the assessment year 1995-96 and 1999-2000.

For Petitioner : Mr.Venkatanarayanan for
M/s.Subbaraya Aiyar

For Respondents : M/s.A.P.Srinivas &
A.N.Jayaprathap (For R1 & R2)

O R D E R

Heard Mr.Venkatanarayanan, learned counsel for the petitioner, Mr.A.P.Srinivas & Mr.A.N.R.Jayaprathap learned counsel for the respondents 1 and 2.

2.The petitioner challenged the impugned notice under Section 226(3) of the Income Tax Act, 1961. At the time, the writ petition was filed, no interim order was granted and notice was only ordered in the stay petition.

3.The learned counsel for the petitioner does not have any written instruction from petitioner. In any event, the appeal petition as well as the stay petition which were moved before the Tribunal by now ought to have been disposed of.

4.Therefore, the writ petition is closed giving liberty to the petitioner to workout his remedies on merits in accordance with law, if still need arises.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

abr

To

1. The Deputy Commissioner of Income Tax,
Central Circle-II (2),
121, Nungambakkam High Road,
Chennai - 600 034.
2. The Commissioner of Income Tax (Appeals),
Central-II, Chennai - 600 034.
3. The Income Tax Appellate Tribunal "B" Bench,
Rajaji Bhavan, Besant Nagar,
Chennai - 600 090.

+1cc to M/s.Subbaraya Aiyar, Advocate, S.R.No.51192

W.P.No.29561 of 2003

RK(CO)
CA(04/08/2017)

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