



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.05.2017

CORAM:

WEB COPY

THE HONOURABLE Mr.JUSTICE M.V.MURALIDARAN

W.P.(MD)No. 10087 of 2017

S.Kumar

... Petitioner

Vs.

1. The SPECIAL DISTRICT REVENUE OFFICER,
Competent Authority (LA)- National High Ways,
Ramanathapuram, Ramanathapuram District.

2. THE CHIEF INCOME TAX OFFICER,
No.3, Rathnasamy Nadar Street,
B.B.Kulam, Madurai- 625 002.

3. THE INCOME TAX OFFICER,
Income Tax Office,
Sekkalai, Karaikudi,
Sivagangai District.

... Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the 1st and 2nd respondents to instruct the 3rd respondent to repay the TDS (Tax Deducted at Source) amount, which was deducted by the 3rd respondent in Ref.No. "TAN No.MRIS06381E" from the compensation for acquiring the petitioner's lands in T.S. Nos. L/2/10-1 & L/2/22-1 at Krishnarajapuram West Street in Devakottai Town, Sivagangai District by considering his representation dated 09.05.2017.

For Petitioner	: Mr.S.Muthukumar
For Respondent 1	: Mr.T.R.Janarthanam
	Additional Government Pleader
For Respondents 2&3	: Mrs.S.Srimathy

O R D E R

The petitioner seeks for a Writ of Mandamus to direct the 1st and 2nd respondents to instruct the 3rd respondent to repay the TDS (Tax Deducted at Source) amount, which was deducted by the 3rd respondent in Ref.No. "TAN No.MRIS06381E" from the compensation for acquiring the petitioner's lands in T.S. Nos. L/2/10-1 & L/2/22-1 at Krishnarajapuram West Street in Devakottai Town, Sivagangai District by considering his representation dated 09.05.2017.



2. The learned Additional Government Pleader takes notice for the respondent 1 and the learned counsel takes notice for the respondents 2 and 3. By consent, the writ petition itself is taken up for final disposal.

3. The learned counsel for the petitioner submitted that it would suffice if the representation of the petitioner is disposed of, on merits and in accordance with law, within a time frame to be fixed by this Court.

4. In view of the limited scope of the prayer, without going into the merits of the matter, the 3rd respondent is directed to consider the representation of the petitioner, dated 09.05.2017 on merits and in accordance with law and pass appropriate orders within a period of eight weeks from the date of receipt of a copy of this order by giving personal opportunity to the petitioner.

5. With the above direction, the Writ Petition stands disposed of. No costs.

Sd/-

Vacation Officer

/True Copy/

Sub Assistant Registrar

To

1. The SPECIAL DISTRICT REVENUE OFFICER,
Competent Authority (LA)- National High Ways,
Ramanathapuram, Ramanathapuram District.

2. THE CHIEF INCOME TAX OFFICER,
No.3, Rathnasamy Nadar Street,
B.B.Kulam, Madurai- 625 002.

3. THE INCOME TAX OFFICER,
Income Tax Office,
Sekkalai, Karaikudi,
Sivagangai District.

+ 1 CC TO Mr.S.MUTHUKUMAR, ADVOCATE IN SR No. 57601
+ 1 CC TO Ms.S.SRIMATHY, ADVOCATE IN SR No. 57815
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 57919

TA/SM/DSS/AKV

TE/SKN/SAR-I : 01/06/2017 : 2P/7C