

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.05.2018

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

W.P.No.12208 of 2018
& WMP.Nos.14242 & 14243 of 2018

M/s.Vasan Medical Centre(India) Pvt. Ltd.,
rep. by its Managing Director,
Dr.A.M.Arun,s/o.Thiru.A.R.Murugaiah
15-A, Thillainagar,
Tiruchirapali-620 018.

Petitioner

versus

1. The Assistant Commissioner of Income Tax,
Central Range-2
1st Floor, Room No.108, New No.46,
Mahatma Gandhi Road,
Chennai-600 034.
- 2.The Principal Commissioner of Income Tax,
Central -2, Investigation Wing,
III Floor, No.46(Old No.108),
Mahatma Gandhi Road,
Chennai-600 034.
- 3.The Directorate General of Income Tax(Investigation),
No.46(Old No.108),
Mahatma Gandhi Road, Nungambakkam,
Chennai-600 034.
- 4.The Commissioner of Income Tax(Appeals)-18,
Room No.303, Investigation Wing,
No.46(Old No.108),
Mahatma Gandhi Road,
Chennai-600 034.

Respondents

Petitions filed under Article 226 of the Constitution of India, for issuance of a Writ of certiorarified mandamus to call for the records in ACIT/Cent.Cir2(1)AADCV3057G/2018-19 dated 17.04.2018 relating to assessment years 2012-13 to 2015-16 on the file of the first respondent and quash the same and further forbearing the first respondent from initiating or continuing with any proceedings for recovery of the disputed demand pursuant to the order of penalty in dated 30.01.2018 passed by

the first respondent relating to Assessment Years 2012-13 to 2015-16.

For Petitioner : Mr.G.Baskar
For Respondents : Mr.A.P.Srinivas, SC

O R D E R

Challenge in this writ petition is to the recovery of penalty levied on the petitioner.

2. Admittedly, an appeal filed by the petitioner against the order of the Assessing Authority levying penalty is pending before the fourth respondent herein namely, the Commissioner of Income Tax(Appeals)-18.

3.It is also submitted by the learned counsel for the petitioner that the respondents have attached the Bank accounts of the petitioner.

4. In view of the above, this writ petition is disposed of with a direction to the fourth respondent to consider and dispose of the said appeal filed by the petitioner in accordance with law within a period of two weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar/Vacation Officer

//True Copy//

Sub Assistant Registrar

सत्यमेव जयते

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To

1. The Assistant Commissioner of Income Tax,
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2.The Principal Commissioner of Income Tax,
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3.The Directorate General of Income Tax(Investigation),
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4.The Commissioner of Income Tax(Appeals)-18,
Room No.303, Investigation Wing,
No.46(Old No.108),
Mahatma Gandhi Road,
Chennai-600 034.

+1cc to Mr.A.P.Srinivas,Senior Standing Counsel Income Tax,
sr.no.33723

+1cc to Mr.G.Baskar, Advocate sr.no.33689

WP.NO.12208/2018

NMI (CO)
NR 04/06/2018



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