

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 12.06.2018

CORAM :
The Hon'ble Ms.INDIRA BANERJEE, CHIEF JUSTICE

AND

The Hon'ble Ms.JUSTICE P.T.ASHA
W.P. No.13624 of 2018

Kalaignar TV Private Limited
(Represented by its Director Mr.P.Amirtham)
No.367/369, Anna Salai,
Teynampet,
Chennai - 600 018. ... Petitioner

-vs-

- 1.The Income Tax Appellate Tribunal,
'D' Bench, Chennai,
(Represented by its Registrar)
Rajaji Bhavan, Besant Nagar,
Chennai - 600 090.
- 2.The Assistant Commissioner of Income-tax,
Non-Corporate Circle 20(1),
Room No.311, New Block, III Floor,
121, M.G. Road,
Chennai - 600 034. ... Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Certiorarified Mandamus to call for the records of the respondent No.1 in Stay Petition No.195/CHNY/2018 in ITA.No.1678/CHNY/2018 dated 25.05.2018 and quash the same and direct the respondent No.2 to not to recover the outstanding tax demand till the disposal of the appeal before the respondent No.1.

For Petitioner : Mr.P.S.Raman
Senior Counsel
for M/s.Sandeep Bagmar
For Respondents : Mr.J.Narayanasamy

ORDER
(Made by Ms.Indira Banerjee, Chief Justice)

In this writ petition, the writ petitioner has challenged

the order dated 25.05.2018 passed by the Income Tax Appellate Tribunal, 'D' Bench, Chennai in Stay Petition No.195/Chny/2018 in I.T.A.No.1678/Chny/2018, whereby the Income Tax Appellate Tribunal has granted stay of recovery of the tax payable subject to payment of instalments of Rs.2.50 Crores per month, of which, the first instalment was to be paid on or before 15.06.2018 and the subsequent instalments on or before 15th of every subsequent month. The Income Tax Appellate Tribunal has also directed that if the Revenue seeks adjournment on any ground, the Assessee is entitled to get a blanket stay.

2. Considering that the principal tax amount claimed is in the region of Rs.69.00 Crores and odd, we do not deem it appropriate to interfere with the order except to direct that the Income Tax Appellate Tribunal shall hear and dispose of the appeal within six months from date.

3. The writ petition is disposed of. No costs. Consequently, WMP.No.16056 and 16057 of 2018 are closed.

Sd/-

Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

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To

1.The Registrar,
Income Tax Appellate Tribunal,
'D' Bench, Chennai,
Rajaji Bhavan, Besant Nagar,
Chennai - 600 090.

2.The Assistant Commissioner of Income-tax,
Non-Corporate Circle 20(1),
Room No.311, New Block, III Floor,
121, M.G. Road,
Chennai - 600 034.

+1cc to M/S.Sandeep Bagmar,advocate,sr.36822(14/06/2018)

+1cc to Mr.Raj Kumar Jhabakh,advocate,sr.36822(10/07/2018)

W.P.No.13624 of 2018

GSP(13/06/2018)