



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Special Original Jurisdiction)

Friday, the Second day of February Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

WMP(MD) Nos.1955, 1959 and 2053 of 2018
IN
WP(MD) Nos.1832, 1835 and 1885 of 2018

D.M.VENKATESWARAN

... PETITIONER/ PETITIONER
IN WMP(MD) No.1955 of 2018
IN WP(MD) No.1832 of 2018

D.M.MAHESWARAN

... PETITIONER/ PETITIONER
IN WMP(MD) No.1959 of 2018
IN WP(MD) No.1835 of 2018

M.JEYA

... PETITIONER/ PETITIONER
IN WMP(MD) No.2053 of 2018
IN WP(MD) No.1885 of 2018

Vs

1 THE ASSISTANT COMMISSIONER OF INCOME TAX,
NON CORPORATE CIRCLE - II,
V.P.RATHINASAMY NADAR ROAD,
MADURAI - 625 002.

2 THE TAX RECOVERY OFFICER,
CENTRAL RANGE, V.P.RATHINASAMY NADAR ROAD,
MADURAI - 625 002.

... RESPONDENTS/RESPONDENTS
IN ALL THE PETITIONS

Prayer in WMP(MD) No.1955 of 2018 IN WP(MD) No.1832 of 2018:-

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to stay the operation of the impugned proclamation of sale dated 04.01.2018 in No.T.R.No.73/TRO-2/MDU-2017-18 posting the public auction by the 2nd respondent on 07.02.2018 at 11.00 am at Madurai by this Honble Court.

Prayer in WMP(MD) . 1959/ 2018 IN WP(MD) No.1835 of 2018:-

To stay the operation of the impugned proclamation of sale dated 04.01.2018 in T.R.No.119/TRO-1/MDU-2017-18 posting the public action by the 2nd respondent on 07.02.2018 at 11 a.m. at madurai.

Prayer in WMP(MD) . 2053/ 2018 IN WP(MD) No.1885 of 2018:-

To stay the operation of the impugned proclamation of sale dated 04.01.2018 in T.R.No.103/TRO-1/MDU-2017-18 posting the public auction by the 2nd respondent on 07.02.2018 at 11 a.m. at Madurai.



ORDER : These petitions coming on for orders upon perusing the petitions and the affidavit filed in support thereof and upon hearing the arguments of M/S.V.S.JAYAKUMAR, Advocate for the petitioner in all the petitions, While admitting the Writ Petitions, the court made the following order:-

The petitioners have paid a sum of Rs.22,60,192/- towards partial discharge of their tax dues.

The learned counsel appearing for the petitioner submits that the petitioners shall pay further sum of Rs.25,00,000/- on or before 23.03.2018.

This Court directs the petitioners together to pay a sum of Rs.1,50,000/- towards the expenses incurred by the respondent in bringing the property to sale. This amount cannot be adjusted. Interim stay as prayed for.

Call this case on 26.03.2018.

sd/-
02/02/2018

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE ASSISTANT COMMISSIONER OF INCOME TAX,
NON CORPORATE CIRCLE - II,
V.P.RATHINASAMY NADAR ROAD,
MADURAI - 625 002.
- 2 THE TAX RECOVERY OFFICER,
CENTRAL RANGE, V.P.RATHINASAMY NADAR ROAD,
MADURAI - 625 002.
- +3. C.C. to M/S.V.S.JAYAKUMAR Advocate SR.Nos.1854 to 1856

ORDER IN
WMP(MD) Nos.1955, 1959 and 2053 of 2018
IN
WP(MD) Nos.1832, 1835 and 1885 of 2018
Date :02/02/2018

MS/CM-VR/SAR.1/02.02.2018/2P.6C