



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.07.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

Writ Petition(MD)No.23452 of 2016

V.S.Paulraj

... Petitioner

Vs.

1. The Deputy Commissioner of Income Tax
Circle I,
Office of the Income Tax Department,
Tuticorin 628 001.

2. The Commissioner of Income Tax - I,
Office of the Income Tax Department,
Madurai 625 001.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the first respondent to return the petition mentioned title deeds seized on 26.07.1995 as per the List of Documents prepared by the Assistant Director of Income Tax (Investigation), Madurai in the residence of the petitioner at No.60, South New Street, Tuticorin.

For Petitioner : Mr.M.Kamalanathan

For Respondents : Mrs.S.Srimathy

Senior Standing counsel for I.T.

O R D E R

The petitioner seeks a direction for return of title deeds seized by the respondent, on 26.07.1995.

2. Even though it is ordered by the respondent that the petitioner is entitled to return of documents, it was not returned back to the petitioner.

3. Mrs.S.Srimathy, learned Senior Standing counsel appearing for the respondent would report on instructions that the title deeds seized by the respondent could not be traced and it was suggested that the petitioner is entitled to get certified copies from the Registration Department.



5. This Court is of the opinion that instead of forcing the petitioner to approach the Registration Department, the respondent by themselves can get certified copies from the Registration Department and hand it over to the petitioner with an non-traceable certificate. Therefore, a direction is given to the respondent to obtain certified copies of the title deeds seized from the petitioner, on 26.07.1995, along with non-traceable certificate, within a period of eight weeks from the date of receipt of a copy of this order.

6. The Writ Petition is disposed of, with the above direction. No costs.

Sd/-
Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar (CS-III)

To

1. The Deputy Commissioner of Income Tax
Circle I,
Office of the Income Tax Department,
Tuticorin 628 001.

2. The Commissioner of Income Tax - I,
Office of the Income Tax Department,
Madurai 625 001.

+ 1 CC TO Mr.M.KAMALANATHAN, ADVOCATE IN SR No. 76014
+ 1 CC TO Mrs.S.SRIMATHY, SENIOR STANDING COUNSEL FOR IT IN SR No. 75877

AKV
TE/KAK/SAR-3 : 14/08/2018 : 2P/5C

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