

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 20.02.2019

CORAM

THE HONOURABLE DR.JUSTICE ANITA SUMANTH

W.P. No.3997 of 2019

and

WMP. Nos.4453 & 4454 of 2019

Mr.K.Vignesh Prabhu

... Petitioner

-vs-

1.The Income Tax Officer,
Ward 2 (1) Erode,
Income Tax Office,
15, Gandhi Road,
Erode- 638 001

2.The Commissioner of Income Tax (Appeals),
CIT (A), Coimbatore,
Race Course Road,
Coimbatore-641 018.

3.The Branch Manager,
Canara Bank,
47A, Park Road,
CD Building,
Erode - 638 003.

.. Respondents

PETITION filed under Article 226 of The Constitution of India praying for the issuance of Writ of Certiorarified Mandamus to call for the records relating to notice dated 01.02.2019, issued U/s.226 (3) of the Income Tax Act, 1961 by the 1st respondent to the 3rd respondent in respect of accounts of M/s.V.K.Textile Processors PAN.AALFV0640C, quash the same and consequently forbear the 1st respondent from attaching the Over Draft and Cash Credit Accounts of M/s.V.K.Textile Processors PAN.AALFV0640C.

For Petitioner : Mr.Niranjan Rajagopalan
for G.R.Associates.

For Respondents : Mr.A.N.R.Jayaprathap,
Standing counsel for R1 & R2.

O R D E R

Mr.Niranjan Rajagopalan, challenges an order of attachment of Bank account and prays for a writ of Certiorarified Mandamus quashing notice dated 01.02.2019

issued under Section 226 (3) of the Income Tax Act, 1961 by the 1st and 3rd respondent and an order forbearing them from attaching the Over Draft and Cash Credit Accounts of the petitioner.

2. Mr.A.N.R.Jayaprathap, learned standing counsel who has taken notice for the Income Tax Department confirms today that the application for stay of recovery filed by the petitioner has been disposed on 12.02.2019 by the first respondent directing the petitioner to pay 20% of the disputed demands on or before 27.02.2019. The Bank attachment impugned before me has been lifted.

3. In such circumstances, nothing survives in this Writ Petition and the same is closed recording the aforesaid statement of the learned standing counsel. Consequently, connected miscellaneous petitions are closed. No costs.

Sd/-

Assistant Registrar (CS)

//True Copy//

Sub Assistant Registrar

rkp
To

1.The Income Tax Officer,
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3.The Branch Manager,
Canara Bank,
47A, Park Road,
CD Building,
Erode - 638 003.

+1cc to Mr.G.R.Associates , Advocate SR.No. 15667
+1cc to Mr.A.P.Srinivas , Advocate SR.No. 15629

W.P. No.3997 of 2019
and

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A.SK(22/03/2019)