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IN THE HIGH COURT OF JUDICATURE OF MADRAS

DATED: 11.06.2019

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

WP.No.4587 of 2012

and

M.P.No.1 of 2012

M/s.Arun Plasto Moulders (India) Pvt. Ltd.,
#3C, Phase III, Thiru Vi Ka Industrial Estate,
Ekkaduthangal, Chennai - 600 032,
Represented by its Managing Director,
Mr.P.Marimuthu

...Petitioner

Vs

1.The Joint Commissioner of Income Tax (OSD)
Company Circle - I(1),
Aayakar Bhavan, #121, Nungambakkam High Road,
Chennai - 600 034.

2.The Commissioner of Income Tax (Appeals) - III,
Aayakar Bhavan, #121, Nungambakkam High Road,
Chennai - 600 034.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the records of the Petitioner in P.A.No.AAECA8066H, on the file of the First Respondent and quash the order dated 02.02.2012 for the Assessment Year 2009-2010 rejecting the Stay Petition filed by the Petitioner for stay of collection of tax demand and direct the First Respondent to grant stay of collection of outstanding tax demand pending disposal of the appeal before the Second Respondent.

For Petitioner : Mr.Philip George

For Respondents: Mrs.Hema Muralikrishnan
Standing Counsel

O R D E R

The order under challenge in this Writ Petition is to a recovery order dated 02.02.2012. It is brought to the notice of this Court that as against the original assessment order, the Appellate Tribunal had disposed of the same by remanding the matter back to the assessing officer. As such, no effective orders can be passed in the present Writ Petition.



2. Accordingly, the Writ Petition stands closed. No costs.
Consequently, connected miscellaneous petition is closed.

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s/d-
Assistant Registrar (CS V)

True Copy

Sub-Assistant Registrar

nl/hvk

To

1. The Joint Commissioner of Income Tax (OSD)

Company Circle - I(1),
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Chennai - 600 034.

2. The Commissioner of Income Tax (Appeals) - III,

Aayakar Bhavan, #121, Nungambakkam High Road,
Chennai - 600 034.

+1 CC to M/s. Philip George, Advocate sr 46764.

+1 CC to M/s. Hema Muralikrishnan, Advocate sr 47160

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NRL (CO)
SP (13/08/2019)