

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:28.03.2019

CORAM

THE HON'BLE DR.JUSTICE ANITA SUMANTH

W.P.No.9324 of 2019

and

W.M.P.Nos.9906, 9907, 9912 to 9914 of 2019

Kirthana Udayan

represented by her Power Agent,

Kutty Padmini

... Petitioner

vs

The Income Tax Officer,
Non-Corporate Ward - 20(5),
Chennai - 600 034.

..Respondent

PRAYER: Writ petition filed under Article 226 of the Constitution of India praying for the issuance of Writ of Certiorarified Mandamus, calling for the records of the Respondent contained in its order dated 12.03.2019, for PAN:AFYPK0715R, in respect of Assessment Year 2016-17, and quash the same together with all resultant notices issued, including the notice issued under Section 226(3) of the Income Tax Act, 1961, bearing reference no: NCW-20(5)/PAN:AFYPK0715R, for Assessment Year 2018-19, dated 21.03.2019, as arbitrary, unjust and illegal and to consequently, direct the Respondent or any of their subordinates, agents, representatives or any other person claiming under/through the Respondents to refrain from in any manner seeking to enforce and/or initiate recovery proceedings pursuant to the Notice of Demand bearing No.ITBA/AST/S/156/2018-19/1014402338(1), dated 19.12.2018 issued by the Respondent, for PAN:AFYPK0715R in respect of Assessment Year 2016-17.

For Petitioner : Mr.Suhrith Parthasarathy

For Respondent : Mr.J.Narayanaswamy

O R D E R

Under instructions, Mr.J.Narayanaswamy, learned counsel for the respondent fairly states that the impugned demand as per the order of assessment dated 19.12.2018 of a sum of Rs.66,99,843/-, stands reduced to a sum of Rs.30,80,403/- after taking into

account the application under Section 154 filed by the petitioner on 22.01.2019. The impugned order calls upon the petitioner to pay 20% of the taxes, amounting now to a sum of Rs.6,17,000/-. Upon remittance of the aforesaid sum of Rs.6,17,000/-, the bank attachments under Section 226 (3) of the Income Tax Act, 1961 will stand lifted forthwith. The writ petition is disposed of in the above terms. Consequently, connected miscellaneous petitions are closed. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

ska

To

The Income Tax Officer,
Non-Corporate Ward - 20(5),
Chennai - 600 034.

+1 cc to Mr.Arun Karthik Mohan, Advocate, S.R.No.30064

+1 cc to Mr.J.Narayanaswamy, Advocate, S.R.No.30304

W.P.No.9324 of 2019
and
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9913 & 9914 of 2019

SSM(29/03/2019).

सत्यमेव जयते
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