



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.07.2019

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THE HONOURABLE DR.JUSTICE ANITA SUMANTH

W.P (MD) Nos.6363 and 6364 of 2015
and
M.P. (MD) Nos.1 and 1 of 2015

K.Kaliyappu ... Petitioner in W.P.(MD)No.6363 of 2015
M.Christinal ... Petitioner in W.P.(MD)No.6364 of 2015

Vs.

1.The Commissioner of Income Tax,
(Appeals), madurai.

2.The Income Tax Officer,
Office of Income Tax Department,
Ward I,
Arunachalam Street, Chekkalai,
Karaikudi, Sivagangai District. .. Respondents in both petitions

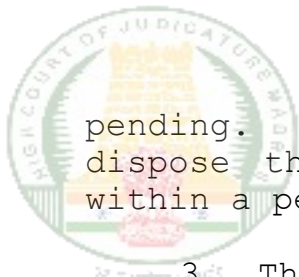
COMMON PRAYER:Writ Petitions filed under Article 226 of the Constitution of India praying for the issuance of writ of Certiorarified Mandamus, to call for the records pertaining to the impugned orders Arrear/ABQPK2355K and Arrear/ACEPC7283K dated 07.04.2015 issued by the second respondent, quash the same and consequently direct the respondents to consider the petitioner's application for stay afresh

For Petitioners : Mr.J.Anandkumar
For Respondents : Mrs.S.Srimathy
(in both petitions)

COMMON ORDER

The prayer in these writ petitions is for a Certiorarified Mandamus to quash orders dated 07.04.2015 and to direct the respondents to consider the petitioners' applications for stay afresh. The orders impugned are an order rejecting the request of the stay petition for interim of demand arising from an orders of assessment passed in terms of the provisions of the Income Tax Act, 1961 and calling upon the petitioners to remit the tax immediately.

2. The learned counsel for the respondents confirms that the statutory appeals filed by the petitioners before the first respondent, the Commissioner of Income Tax (Appeals) are numbered as ITA-11/2014-15 and ITA-12/2014-15 filed on 27.02.2015 and are yet



pending. There is thus a direction to the first respondent to dispose the appeals filed by the petitioners after hearing them within a period of eight weeks from today (i.e., 25.07.2019)

3. This Court vide order dated 22.04.2015, has granted an interim stay of collection upon condition that the petitioner in W.P.(MD)No.6363 of 2015 deposits a sum of Rs.2 laksh and the petitioner in W.P.(MD)No.6364 of 2015 deposits a sum of Rs.50,000/-. Respondent counsel confirms that this order has been complied with. In such circumstances, the stay granted by this Court on 22.04.2015 shall continue till the disposal of appeals, that is, for a period of eight weeks from today.

4. This writ petitions are disposed in the aforesaid terms. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

Sub Assistant Registrar

TO

1.The Commissioner of Income Tax,
(Appeals), madurai.

2.The Income Tax Officer,
Office of Income Tax Department,
Ward I,
Arunachalam Street, Chekkalai,
Karaikudi, Sivagangai District.

+1 CC to M/s.S.SRIMATHY, Advocate (SR-77818[F] dated 26/07/2019)

W.P(MD)Nos.6363 and 6364 of 2015
25.07.2019

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MS/12.09.2019/2P.4C