IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.09.2020

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 16713 of 2013
and
M.P. No. 1 of 2013

V.Kannan ... Petitioner

-vs-

1. The Regional Provident Fund Commissioner,
   Employees Provident Fund Organization,
   Sub-Regional Office - Ambattur,
   No. R-40A, TNHB Shopping-cum-Office Complex,
   Mugappair (East),
   Chennai - 600 037.

2. The Recovery Officer,
   Employees Provident Fund Organization,
   No. R-40A, TNHB Shopping-cum-Office Complex,
   Mugappair (East),
   Chennai - 600 037.

3. M/S.TTG Industries Limited,
   Formerly TTG machinery Manufacturing Company Limited,
   TTG House,
   36 College Road,
   Chennai - 6.

4. Venkataraman Srinivasan ... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records relating to the Second Respondent dated 10.05.2013 vide Proceedings No. TN/SRO/AMB/19910/RRC-3144/2013, and to quash the same and set aside the order of attachment of immovable property under Rule 48 of the second schedule to the Income Tax Act, 1961, bearing No. TN/SRO/AMB/19910/RRC-3144/13 dated 10.05.2013 and consequently direct the First and Second Respondents to pay damages for causing the attachment in respect of the immovable property which has nothing to do with the alleged damages payable to the Corporation.

For Petitioner : Mr. G.Bharadwaj
For Respondents: Mr. J.Sathyanarayanaprasad,
Standing Counsel (For R1 and R2)

No appearance (For R3 and R4)

O R D E R
(through video conference)

Heard Mr. G.Bharadwaj, Learned Counsel for the Petitioner and Mr. J.Sathyanarayanaprasad, Learned Standing Counsel appearing for the First and Second Respondents and perused the materials placed on record, apart from the pleadings of the parties.

2. The Writ Petition challenges the order of attachment of the immovable property of the Petitioner in Proceedings No. TN/SRO/AMB/19910/RRC-3144/13 dated 10.05.2013 passed by the Second Respondent under Rule 48 of the Schedule II to the Income Tax Act, 1961, towards Provident Fund dues owed by the Third Respondent.

3. Learned Standing Counsel appearing for the First and Second Respondents, on instructions, states that there are no dues pending as on date against the Third Respondent, viz., M/s.TTG Industries Limited, meaning thereby that the First and Second Respondents do not intend to enforce the impugned order. He has also produced a copy of the Letter No. TN/RO/AMB/ LEGAL/WP No. 16713/2013/2020 dated 25.09.2020 received by him from the First Respondent to that effect, which is placed on record. In view of the aforesaid subsequent events, nothing remains for further consideration in this Writ Petition.

4. Accordingly, the Writ Petition is disposed. Consequently, the connected Miscellaneous Petition is closed. No costs.

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

To
1.The Regional Provident Fund Commissioner,
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VSNII(CO)
SP(08/10/2020)