

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.03.2020

CORAM

THE HONOURABLE MR. JUSTICE R.MAHADEVAN

Writ Petition No.8328 of 2012 and  
M.P.No.1 of 2012

M/s.Arun Excello Foundations Private Limited  
A Private Limited Company  
Incorporated under the Provisions of the  
Indian Companies Act, 1956,  
Represented by its Managing Director  
Mr.Suresh  
Bhattad Towers, No.18, West Cott Road,  
Royapettah, Chennai-600 014. .... Petitioner

Vs.

1. The Assistant Commissioner of Income Tax,  
Company Circle 1 (1)  
121, Mahatma Gandhi Road,  
Nungambakkam,  
Chennai-600 034.
2. Commissioner of Income Tax (Appeals-III)  
121, Mahatma Gandhi Road,  
Nungambakkam,  
Chennai-600 034. .... Respondents

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of Certiorarified Mandamus to call for the records of the first respondent in Order PAN AABCA 8168K/2009-10 relating to the application made by the petitioner for stay of demand under Section 220 (6) of the Income Tax Act, 1961 and quash the order dated 21.03.2012 rejecting the stay petition and direct the first respondent to grant stay of demand relating to the assessment order for the assessment year 2009-10, pending disposal of the appeal before the second respondent.

For Petitioner : Mr.R.Sivaraman  
For Respondents : Mrs.Hema Muralikrishnan  
(R1 and R2)

ORDER

Today, when the matter was taken up for consideration, the learned counsel appearing for the petitioner as well as the respondents 1 and 2 submitted that the Appeal itself has been disposed of and therefore nothing survives for adjudication in this Writ Petition.

2. Recording the submission made by the learned counsel appearing on either side, this Writ Petition is dismissed as infructuous. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-  
Assistant Registrar (CS-V)

//True copy//

Sub Assistant Registrar

arr

To

1. The Assistant Commissioner of Income Tax,  
Company Circle 1 (1)  
121, Mahatma Gandhi Road,  
Nungambakkam,  
Chennai-600 034.
2. Commissioner of Income Tax (Appeals-III)  
121, Mahatma Gandhi Road,  
Nungambakkam,  
Chennai-600 034.

+1cc to Mrs.Hema Muralikrishnan, Advocate SR.No.23283

W.P.No.8328 of 2012

SAI (CO)  
GMY (27/07/2020)

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