

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 16.03.2020
CORAM

THE HON'BLE MR. JUSTICE R.MAHADEVAN

W.P.No. 35073 of 2013
and M.P.No.1 of 2013

E.V.P.Estates and Properties
Development Limited,
Rep. by its Chairman & Managing Director,
E.V.Perumalsamy Reddy,
1015, 'Z' Block, 6th Avenue,
Anna Nagar, Chennai - 600 040.Petitioner

Vs

1. The Commissioner of Income Tax-I (Admin),
No.46, Mahathma Gandhi Road,
Nungambakkam,
Chennai - 600 034.
2. The Assistant Commissioner of Income Tax,
Central Circle -IV(2),
Chennai - 600 034.
3. The Tax Recovery Officer, Central
Income Tax Department,
No.46, Mahathma Gandhi Road,
Nungambakkam, Chennai - 600 034.
4. The Special Tahsildar (Land Acquisition Unit),
Airport Expansion Scheme,
SIPCOT Sriperumpudur,
Kancheepuram District.Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the respondents to lift the attachment proceedings initiated by the 3rd respondent under Section 226(4) in Form No.I.T.C.P.10 under Rule 31 of the Second Schedule of Income Tax Act, 1961 in respect of the deposit amount of Rs.16,79,59,743/- (Rupees Sixteen Crores Seventy Nine Lakhs Fifty Nine Thousand Seven Hundred and Forty Three only) made by the Special Tahsildar SIPCOT, Sriperumpudur, in favour of the petitioner in L.A.O.P.No.2 of 2011 on the file of Sub-Court, Kancheepuram to enable the petitioner to pay the

returned tax amount payable totally a sum of Rs.10,06,41,779/- (Rupees Ten Crores Six Lakhs Forty One Thousand Seven Hundred and Seventy Nine Only) for the Assessment Years 2005-2006 to 2008-2009 of the Assessee viz., (1) the petitioner, (2) EVP Housing Chennai Pvt. Ltd. (3) E.V.Perumalsamy Reddy (4) Mrs.P.S.Rajeswari and (5) E.V.P.Santhosa Reddy to the respondents.

For Petitioner : Mr.M.Vijayakumar

For Respondents: Mrs.Hema Muralikrishnan
Standing Counsel [R1 & R3]

O R D E R

Today, when the matter was taken up for hearing, the learned counsel for the petitioner, on instructions, submitted that the prayer made in this writ petition has become infructuous and hence, nothing survives for adjudication.

2.Recording the above submission made by the learned counsel for the petitioner, this writ petition stands dismissed as having become infructuous. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1. The Commissioner of Income Tax-I (Admin),
No.46, Mahatma Gandhi Road,
Nungambakkam,
Chennai - 600 034.
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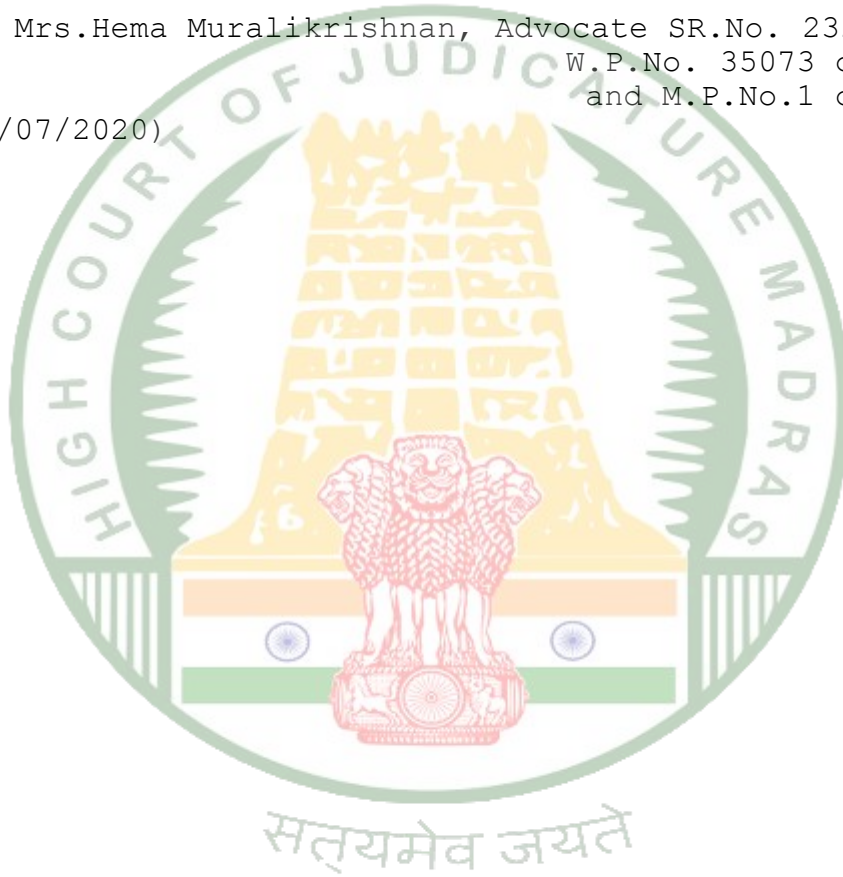
4. The Special Tahsildar (Land Acquisition Unit),
Airport Expansion Scheme,
SIPCOT Sriperumpudur,
Kancheepuram District.

+lcc to Mrs.Hema Muralikrishnan, Advocate SR.No. 23280

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A.SK(28/07/2020)



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