

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.11.2020

CORAM

THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P. No.9011 of 2020 &
WMP.Nos.10957 & 10958 of 2020

M/s. The Villupuram District Central Co. Operative Bank Ltd.
Rep. by its General Manager,
Mr.T.Prabakaran,
No.2, Hospital Road,
Villupuram 605 602. Petitioner

Vs

1. The Assistant director of Income Tax
CPC Centralised Processing Centre
Income Tax Department, Post Bag No.1
Electronic City Post Office Bangalore 560500.
2. The Assistant Commissioner of Income Tax
O/o. The Assistant Commissioner of Income Tax Circle 1
Villupuram Income Tax Office I Floor No.1
Chairman Subbarayar Street, West Shanmugapuram,
Villupuram - 605 602.
3. The Commissioner of Income Tax (Appeals)
Pondichery Deivanayagam
Pillai Thottam Mahathma Gandhi Road
Puducherry -605 003.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to Writ of Certiorarified Mandamus to call for the records pertaining to the notice u/s.245 dated 13/05/2020 having DIN CPC 1920 / G8 /1961166065 for Asst. Year 2019 -20 and the consequent demand u/s 220 (2) dated 24/04/2020 having Demand Identification Number 2020201037001843775T for the Asst. Year 2010 -11 issued by the 1st respondent and quash the same as illegal and direct the 1st respondent to refund to the petitioner a sum of Rs.2,57,62,150/- pertaining to Asst. year 2019 -20 which was adjusted illegally by the 1st respondent.

For Petitioner :Mr.K.Ravi

For Respondents :Mrs. Hema Muralikrishnan

Senior Standing Counsel R1

Mr.A.P.Srinivas

Senior Standing Counsel for R2 & R3

O R D E R

In the light of memo dated 31.10.2020 filed on behalf of the petitioner to the effect that the 2nd respondent has refunded the amount of Rs.2,60,50,999/- to the petitioner and seeking permission to withdraw the writ petition as it has been rendered infructuous, this writ petition is dismissed as withdrawn. Connected Miscellaneous Petitions are closed. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

ska/sl

To

1. The Assistant director of Income Tax
CPC Centralised Processing Centre
Income Tax Department, Post Bag No.1
Electronic City Post Office Bangalore 560500.
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+1cc to Mr.A.P.Srinivas, Advocate, sr no.35916

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KK(CO)
RMP(27/11/2020)