

IN HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.02.2020

CORAM

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.No.27073 of 2014

and

M.P.No.1 of 2014

P.Dhanalakshmi

...Petitioner

Vs.

1.The Commissioner of Income Tax - VIII,
VI Floor, Kannammai Buildings,
No.611, Anna Salai,
Chennai - 600 006.

2.The Income Tax Officer,
Business Ward - III (3),
I Floor, Kannammai Buildings,
No.611, Anna Salai,
Chennai - 600 006.

.... Respondents

Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, to call for the records relating to the impugned order of the 1st respondent in File No.C.No.861(12)CIT-VIII/2013-14 dated 18.07.2014 and quash the same.

For Petitioner : Mr.K.Soundararajan

For Respondents: M/s.Hema Muralikrishnan

Standing Counsel

ORDER

When the case is taken up for hearing, both side counsels fairly submit that the issue is now covered by an earlier decision of this Court in C.K.Logadoss Vs. The Commissioner of Income Tax - VIII, order dated 03.12.2019 in W.P.No.21043 of 2015. The petitioner was also a co-sharer of the property. The operative portion of the order reads as under:-

4.The learned counsel for the petitioner submits that the matter may be remanded back to the 1st respondent to pass a speaking order

in terms of the decision of the Tribunal which were impugned in T.C.No.505 of 2014 and T.C.No.686 of 2014. The learned counsel for the respondent (Revenue) has no objection for the matter being remanded back to the 1st respondent to pass a speaking order in terms of the decision of the Tribunal in the case of the petitioner's siblings. The petitioner is aged 80 years as on the date of the filing Writ Petition. The Commissioner of Income Tax the 1st respondent is therefore requested to pass speaking order within a period of four weeks from the date of receipt of a copy of this order in accordance with law, taking note of the decision of the Tribunal. Needless to state before passing such order, the petitioner shall be heard by the 1st respondent.

2. In view of the above order, the present Writ Petition is disposed in terms of the above order. No cost. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS-VI)

//True Copy//

Sub Assistant Registrar

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To

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Chennai - 600 006.

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I Floor, Kannammai Buildings,
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+1cc to Mrs.Hema Muralikrishnan, Advocate SR.17301

+1cc to Mr.K.Soundararajan, Advocate SR.17160

W.P.No.27073 of 2014

and

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SR(CO)

CB(19/06/2020)