

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Civil Appellate Jurisdiction)

Wednesday, the Seventeenth day of February Two Thousand Twenty One

PRESENT

THE HON`BLE MR JUSTICE T.S.SIVAGNANAM

AND

THE HON`BLE MS JUSTICE R.N.MANJULA

CMP No.1559 of 2021
IN WA.NO.395 OF 2021

THE ASSISTANT COMMISSIONER OF [PETITIONER]
INCOME TAX,
(INV) UNIT 4(3) INVESTIGATION WING,
ROOM NO.110, 1ST FLOOR,
NEW NO 46, OLD NO 108,
NUNGAMBAKKAM HIGH ROAD,
CHENNAI -600034.

Vs

PREETHA KRISHNA [RESPONDENT]

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to stay the operation of the impugned order dt 07.09.2020 passed in WP no.31383 of 2019 pending disposal of the above Writ Petition.

Order : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.A.P.SRINIVAS, Senior Standing Counsel for the petitioner and of M/S.NITHYAESH AND VAIBHAV, ADVOCATE FOR MR.VAIBHAV VENKATESH, ADVOCATE (CAVEATOR) on behalf of the Respondents the court made the following order:-

Order of the Court was made by T.S.SIVAGNANAM,J

We have heard Mr.A.P.Srinivas, learned Senior Standing Counsel for the appellant. Mr.Vaibhav Venkatesh, learned counsel accepts notice for the respondent.

2. By the order under challenge in this appeal, the notice which had been impugned in the writ petition dated 18.10.2019 has been quashed. If an order of interim stay, as sought for by the Revenue, is granted, it would amount to allowing the writ appeal

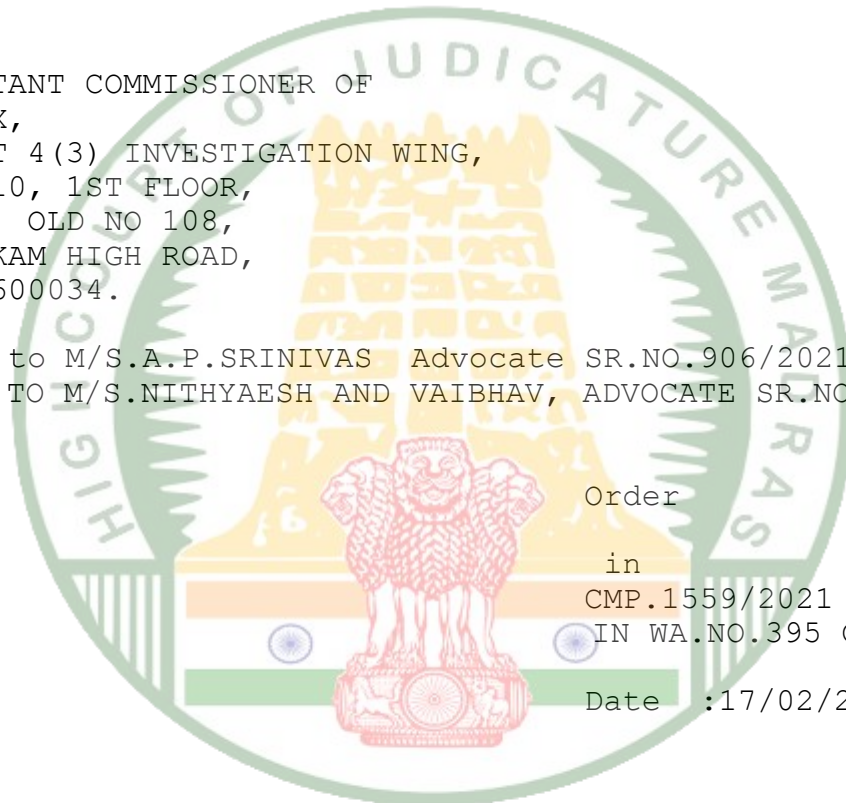
itself at an interlocutory stage, which is impermissible. Hence, the prayer for interim stay of the impugned order is rejected. Accordingly, the Civil Miscellaneous Petition stands dismissed.

-sd/-
17/02/2021
/ TRUE COPY /

Sub-Assistant Registrar (Statistics / C.S.)
High Court, Madras - 600 104.

TO
THE ASSISTANT COMMISSIONER OF
INCOME TAX,
(INV) UNIT 4(3) INVESTIGATION WING,
ROOM NO.110, 1ST FLOOR,
NEW NO 46, OLD NO 108,
NUNGAMBAKKAM HIGH ROAD,
CHENNAI -600034.

C.C. to M/S.A.P.SRINIVAS Advocate SR.NO.906/2021.
C.C. TO M/S.NITHYAESH AND VAIBHAV, ADVOCATE SR.NO.938/2021



Order
in
CMP.1559/2021
IN WA.NO.395 OF 2021
Date :17/02/2021

From 26.2.2001 the Registry is issuing certified
copies of the Interim Orders in this format
VC (24/02/2021)

WEB COPY