

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Special Original Jurisdiction)

Thursday, the First day of August Two Thousand Nineteen

PRESENT

The Hon`ble Dr.Justice ANITA SUMANTH

WP(MD) No.17024 of 2019

and

WMP(MD)NOS.13592 AND 13593 OF 2019

G.UBAIDUR RAHMAN

... PETITIONER/PETITIONER

Vs

1 THE ASSISTANT COMMISSIONER OF INCOME TAX,
NON-CORPORATE CIRCLE-3, NO.2,
VP RATHINASAMY NADAR ROAD, BIBIKULAM, MADURAI

2 THE TAX RECOVERY OFFICER-2,
NO.2, VP RATHINASAMY NADAR ROAD, BIBIKULAM,
MADURAI-625 002.

3 THE COMMISSIONER OF INCOME TAX (APPEALS)-I,
NO.2, VP RATHINASAMY NADAR ROAD,
BIBIKULAM, MADURAI

... RESPONDENTS/RESPONDENTS

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to Calling for the records on the file of the 1st respondent in PAN.AAZPU0395D and quash the impugned order in C.NO.Stay petition/NCC3/MDU/2018-19 dt.26.3.2019 which was communicated to the petitioner on 23.07.2019 passed by the 1st respondent rejecting the stay petition filed by the petitioner for stay of demand for the Assessment Years 2012-2013 to 2015-16 as illegal, arbitrary and devoid of merit and consequentially direct the 1st respondent to grant stay of recovery of demand till the disposal of the appeal before the 3rd respondent.

PRAYER IN WMP(MD)NO.13592 OF 2019:

To pass an order of direction directing the 3rd respondent to adjudicate and dispose of the appeals pending before him in ITA.Nos.261 to 263 and 265/2019-2019 within a stipulated time pending disposal of the WP.

<https://hcservices.ecourts.gov.in/hcservices/>

PRAYER IN WMP(MD)NO.13593 OF 2019:

To pass an order of injunction restraining the respondents or any authority or person acting under or for the respondents from in any manner taking coercive steps pursuant to the impugned order in C.No.Stay Petition/NCC3/MDU/2018-19 dated 26.3.2019 pending disposal of the above WP and thus render justice.

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.R.SIVARAMAN, Advocate for the petitioner the court made the following order:-

List on **29.08.2019.**

2. Status quo of recovery till then.

3. The petitioner states that his appeals are pending before the third respondent.

4. This order will not preclude the third respondent for taking up and disposing the appeals in the meantime.

sd/-

01/08/2019

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

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BIBIKULAM, MADURAI

+1. C.C. to M/S.R.SIVARAMAN Advocate SR.No.12751

ORDER

IN

WP(MD) No.17024 of 2019

and

WMP(MD) NOS.13592 AND 13593 OF 2019

Date :01/08/2019

KM/JC/SAR-II (09.08.2019) 3P 5C



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