



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.02.2021

CORAM

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

W.P.(MD)No.4351 of 2016 and

W.M.P.(MD)No.3879 of 2016

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M/s.The Vikas Academy,
Rep. by its Managing Partner,
Biju Nayar Sudarsan,
Vikasa School Compound,
Aarappalayam Cross Road,
Ponnagaram,
Madurai - 625 016.

... Petitioner

Vs.

1. The Deputy Commissioner of Income Tax,
Non Corporate Circle - 3,
Madurai - 2.

2. The Commissioner of Income Tax (Appeals) - 1,
Madurai.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records on the file of the first respondent in PAN No.AADFT2762M and quash the impugned order dated 16.02.2016 passed by the first respondent rejecting the stay petition for the A.Y. 2009-10 and direct the first respondent to grant stay of demand pending disposal of the appeal before the second respondent.

For Petitioner : Mr.R.Sivaraman
For Respondents : Mrs.S.Srimathy

* * *

ORDER

Heard the learned counsel appearing for the petitioner and the learned Standing counsel appearing for the respondents.

2. The petitioner suffered an adverse order at the hands of the first respondent. Questioning the same, the petitioner filed I.T.A.No.149/2015-16 before the second respondent. The petitioner asked for interim relief and the same was declined. Questioning the same, this writ petition came to be filed.

3. During the pendency of the writ petition, I.T.A. No.149/2015-16 itself was allowed on 18.10.2019. Since the main proceedings itself ended in favour of the petitioner, nothing survives for further consideration.



4. Recording the said subsequent development, this writ petition stands closed. No costs. Consequently, connected miscellaneous petition is closed.

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Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

PMU

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To:

1. The Deputy Commissioner of Income Tax,
Non Corporate Circle - 3,
Madurai - 2.

2. The Commissioner of Income Tax(Appeals) - 1,
Madurai.

+1 CC to M/s.S.SRIMATHY, Advocate (SR-7563[F] dated 26/02/2021)

W.P.(MD)No.4351 of 2016
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VB (04.03.2021) 2P 4C