



W.P.(MD) No.512 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.01.2025

CORAM:

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

W.P.(MD) No.512 of 2025

and

W.M.P.(MD) Nos.367 and 368 of 2025

M/S.New Munira Traders,
represented by its Partner
Mr.Mohammed Ismail

... Petitioner

/vs./

- 1.The Income Tax Officer,
Ward I, Kumbakonam,
First Floor, No.31, Krishnaswamy Road,
Gandhi Nagar,
Kumbakonam, Tamil Nadu 612 001.
- 2.The Principal Commissioner of Income Tax,
Madurai -1,
Income Tax Annexe Building VP
Rathinasamy Nadar Road,
CR Building, Bibikulam,
Madurai, Tamil Nadu 625 002.
- 3.The Branch Manager,
Karur Vysya Bank Ltd., Kumbakonam Branch,
No.129, TSR Big Street,



W.P.(MD) No.512 of 2025

WEB COPY

Kumbakonam,
Thanjavur District,
Tamil Nadu 612 001.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari, calling for the records pertaining to the impugned order dated 27-11-2024 with the reference ITBA/COM/F/17/2024-25/1-7-686046(1) issued by the First Respondent, quash the same in so far as it mandates the Petitioner to pay a sum of Rs.37,67,417/- as a condition for the stay of recovery of Rs.3,39,06,753/-.

For Petitioner : Mr.N.Murali

For R1 & R2 : Mr.N.Dilip Kumar

ORDER

The challenge in the writ petition is to an order granting an order of conditional stay.

2. A reading of the impugned order would show that 7 equated monthly installments have already been provided to the petitioner. Therefore, I am not inclined to interfere with the conditions imposed, as I am of the view that liberal view had been taken by the first respondent. However, considering the fact that an appeal is pending and the petitioner claims that it is a partnership firm, which is



W.P.(MD) No.512 of 2025

WEB COPY

not in operation as of today, there shall be a direction to the appellate authority concerned to dispose of the appeal as expeditiously as possible.

3. With such liberty, the Writ Petition stands disposed of. However, there shall be no order as to costs. Consequently, connected Miscellaneous Petitions are closed.

Index : Yes / No
Internet : Yes / No
mm

10.01.2025



WEB COPY



W.P.(MD) No.512 of 2025

K.KUMARESH BABU, J.

mm

W.P.(MD) No.512 of 2025

10.01.2025