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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.03.2026

CORAM

THE HON'BLE MR JUSTICE C. SARAVANAN

W.P.No.8340 of 2026

and

W.M.P.No.9028 of 2026

Vellakovil Ponnusamy Thanigashalam

..Petitioner

Vs

1. The Assistant Commissioner of Income Tax,
Central CIR 1 Coimbatore.
2. The Commissioner of Income Tax, (Appeals),
National Faceless Appeal Centre,
Income Tax Department, Ministry of Finance,
Room No.401, 2nd Floor, E-Ramp,
Jawaharlal Nehru Stadium, Delhi – 110003.
3. The Branch Manager,
State Bank of India,
Vellakovil Branch - 04272,
Vellakovil, Tirupur - 638 111.

..Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorarified Mandamus, to call for records relating to the Notice dated 18.12.2025 issued by the 3rd Respondent to the Petitioner attaching the bank account of the Petitioner, quash the same and consequently forbear the 1st and 2nd Respondent from recovery of the tax pending disposal of the appeal vide Acknowledgement no: Acknowledgement no: 870050100140225 (AY 2020-2021), Acknowledgement no: 869842250140225 (A.Y. 2021-2022), Acknowledgement no: 870133110140225 (A.Y. 2022-2023) & Acknowledgement no: 880060670220225 (A.Y. 2023-2024) and pass any



such further or other orders that this Court may deem fit and proper in the facts and circumstances of the case.

For Petitioner : Ms.Sowjanya S

For Respondents : Mr.A.N.R.Jayaprathap,
Junior Standing Counsel,
for R1 & R2.

ORDER

Mr.A.N.R.Jayaprathap, learned Junior Standing Counsel, takes notice for the first and second Respondents.

2. This Writ Petition is being disposed of at the stage of admission itself with the consent of the learned counsel for the Petitioner and the learned Junior Standing Counsel for the first and second respondents.

3. The petitioner has filed the present Writ Petition challenging the impugned communication dated 18.12.2025 issued by the third respondent under **Section 226(3) of the Income Tax Act, 1961.**

4. It is submitted that the petitioner has already preferred a statutory appeal before the second respondent challenging the assessment orders. While the said appeal is pending, the petitioner moved an application seeking a stay of the tax demand. However, the authorities have not passed any orders on the stay application and have instead proceeded with recovery measures.



5. The petitioner contends that they are entitled to seek a stay of demand under **Section 220(6) of the Income Tax Act, 1961**. The total tax demand outstanding for the relevant assessment years is stated to be **Rs. 2,72,91,206/- (Actually Rs.3,05,02,706)**. The petitioner further submits that the impugned recovery proceedings has caused a significant hardship to their business operations.

6. Considering the facts and circumstances of the case, and to balance the interests of both the Revenue and the Assessee, this Court passes the following directions:

- The petitioner is directed to deposit **10% of the disputed tax demand** within a period of **45 days** from the date of receipt of a copy of this order.
- Upon such deposit, the impugned recovery proceedings initiated under **Section 226(3)** shall be kept in abeyance pending the disposal of the appeal by the second respondent.
- If the petitioner fails to comply with the above condition of deposit, the respondents are at liberty to proceed with the recovery in the manner known to law.

7. The second respondent is directed to dispose of the pending appeal on its own merits and in accordance with the law, as expeditiously as



possible, preferably within a period of three months from the date of this order.

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8. With the above directions, this Writ Petition is disposed of. No costs.

Consequently, connected miscellaneous petitions, if any, are closed.

04.03.2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
kmm



To

1. The Assistant Commissioner of Income Tax,
Central CIR 1 Coimbatore.

2. The Commissioner of Income Tax, (Appeals),
National Faceless Appeal Centre,
Income Tax Department, Ministry of Finance, Room No.401, 2nd Floor, E-
Ramp,
Jawaharlal Nehru Stadium, Delhi – 110003.

3. The Branch Manager,
State Bank of India,
Vellakovil Branch - 04272,
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C.SARAVANAN, J.

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