

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE GOPINATH.P.

TUESDAY, THE 12TH DAY OF MAY, 2020/22ND VAISAKHA, 1942

W.P(C) NO. 9818 OF 2020

PETITIONER:

VAKAYAR SERVICE CO-OPERATIVE BANK LTD NO. 847
VAKAYAR P.O , KONNI, PATHANAMTHITTA,
REPRESENTED BY ITS SECRETARY.

BY ADVS.

SRI. M.SASINDRAN

SRI. I.SREEHARI

RESPONDENTS:

1. UNION OF INDIA
REPRESENTED BY ITS SECRETARY,
DEPARTMENT OF REVENUE,
MINISTRY OF FINANCE GOVERNMENT OF INDIA,
NORTH BLOCK, NEW DELHI- 110001.
2. THE CENTRAL BOARD OF DIRECT TAXES DEPARTMENT OF REVENUE,
MINISTRY OF FINANCE GOVERNMENT OF INDIA, NORTH BLOCK,
NEW DELHI- 110001, REPRESENTED BY ITS CHAIRMAN.
3. THE PRINCIPAL CHIEF COMMISSIONER OF INCOME TAX
KERALA REGION, MINISTRY OF FINANCE,
GOVERNMENT OF INDIA, CENTRAL REVENUE BUILDINGS,
IS PRESS ROAD, COCHIN - 682 018.
4. INCOME TAX OFFICER (TDS),
OFFICE OF THE INCOME TAX OFFICE (TDS)
AAYAKAR BHAVAN, ARATTUKULANGARA COMPLEX, A N PURAM,
ALAPPUZHA - 688011
5. PATHANAMTHITTA DISTRICT CO-OPERATIVE BANK LTD
(PRESENTLY PART OF THE KERALA STATE CO-OPERATIVE BANK
LTD, P.B.NO. 6515), CO-BANK TOWERS, PALAYAM,
THIRUVANANTHAPURAM- 695 033.
REPRESENTED BY ITS CHIEF EXECUTIVE OFFICER.
6. STATE OF KERALA - REPRESENTED BY ITS SECRETARY
DEPARTMENT OF CO-OPERATION, SECRETARIAT,
THIRUVANANTHAPURAM - 695 001.

BY SRI. CHRISTOPHER ABRAHAM

SRI.K.P.HARISH, GOVERNMENT PLEADER

THIS WRIT PETITION HAVING COME UP FOR ADMISSION ON 12.05.2020,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER

Admit.

2. The Assistant Solicitor General takes notice for the Union of India. The Standing Counsel for the Income Tax Department accepts notice on behalf of the Department. Petitioner to take steps to serve notice on other respondents by speed post/e-mail/whatsapp message and file a memo regarding such service.

3. In view of the order dated 23.03.2020 in WP(C) No.9333 of 2020 and connected cases, there shall be an interim stay of deduction of tax at source from the petitioner under Section 194 N of the Income Tax Act for three months.

Post this writ petition along with connected matters on 27.05.2020.

GOPINATH . P .

JUDGE

SMA

A P P E N D I X

PETITIONER'S EXHIBITS:-

1.	EXHIBIT P1. A TRUE COPY OF THE NOTICE DATED 9.3.2020 ISSUED BY THE 5 TH RESPONDENT TO THE PETITIONER.
2.	EXHIBIT P1(A). A TRUE COPY OF THE NOTICE DATED 10.03.2020 ISSUED BY THE 5 TH RESPONDENT TO THE PETITIONER.
3.	EXHIBIT P2. A TRUE COPY OF THE G.O. (MS)NO. 324/2016/FIN DATED 15.8.2016.
4.	EXHIBIT P3. A TRUE COPY OF THE GOVERNMENT ORDER DATED 18.8.2016.
5.	EXHIBIT P4. A TRUE COPY OF THE INTERIM ORDER IN W.P. (C)NO. 8333 OF 2020.