

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. 9851 OF 2020

PETITIONERS:

1. THARIODE SERVICE CO-OPERATIVE BANK LTD,
P.O. KAVUMMANNAM, WAYANAD- 673122
REPRESENTED BY ITS SECRETARY THOMAS P.V.
2. THONDERNAD SERVICE CO OPERATIVE BANK LTD,
P.O. MAKKIYAD, CHEPPAD, WAYANAD- 670731
REPRESENTED BY ITS SECRETARY ARAVINDAKSHAN V.T.
3. EACHOME SERVICE CO OPERATIVE BANK LTD,
EACHOME P.O., WAYNAD- 670721
REPRESENTED BY ITS SECRETARY ABDUL JAFFER
4. KOTTATHARA SERVICE CO OPERATIVE BANK LTD,
KOTTATHARA P.O., WAYANAD- 673121
REPRESENTED BY ITS SECRETARY SUMESHAN M
5. THAVINHAL SERVICE CO OPERATIVE BANK LTD,
THALAPUZHA P.O., WAYANAD- 670644
REPRESENTED BY ITS SECRETARY NAZEEMA P.K.

BY ADV. DR. K.P. PRADEEP

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. PRINCIPAL CHIEF COMMISSIONER OF INCOME TAX
KERALA REGION, MINISTRY OF FINANCE, GOVERNMENT OF INDIA,
CENTRAL REVENUE BUILDINGS, I S PRESS ROAD
KOCHI- 682018.
4. THE KERALA STATE CO-OPERATIVE BANK LTD,
PB NO 6515, CO-BANK TOWERS,
PALAYAM, THIRUVANANTHAPURAM- 695 033
REPRESENTED BY ITS CHIEF EXECUTIVE OFFICER
5. STATE OF KERALA
REPRESENTED BY ITS SECRETARY (CO-OPERATION)
GOVERNMENT SECRETARIATE, GOVERNMENT OF KERALA
THIRUVANANTHAPURAM- 695001

BY R1 & R2, SRI.P.VIJAYAKUMAR, ASGI
R5 SMT.VINITHA.B., GOVERNMENT PLEADER

THIS WRIT PETITION HAVING COME UP FOR ADMISSION ON
12.05.2020, THE COURT ON THE SAME DAY PASSED 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**

csi

APPENDIX

PETITIONERS' EXHIBITS:

EXT P1: TRUE COPY OF THE NOTICE NO WB/ACS/TDS/194N/2019-20
DATED 09-03-2020 ISSUED BY THE WAYAND OFFICE OF THE 4TH
RESPONDENT