

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE BECHU KURIAN THOMAS

TUESDAY, THE 28TH DAY OF APRIL, 2020/8TH VAISAKHA, 1942

W.P(C) TMP NO.192 OF 2020

PETITIONERS:

1. AYROOR SERVICE CO-OPERATIVE BANK LTD NO. 2237,
AYROOR P.O- 683 579,
ERNAKULAM DISTRICT,
REPRESENTED BY ITS SECRETARY
2. THE THURUTHIPPURAM SERVICE CO-OPERATIVE BANK LTD.1789,
REPRESENTED BY PRESIDENT,
THURUTHIPURAM P.O, ERNAKULAM - 680 667.

BY ADVOCATE P.N.MOHANAN

RESPONDENT/RESPONDENTS:

1. THE UNION OF INDIA,
REPRESENTED BY THE SECRETARY TO GOVERNMENT,
MINISTRY OF FINANCE, NORTH BLOCK,
RAISANA HILL, NEW DELHI - 110001.
2. THE COMMISSIONER OF INCOME TAX (TDS),
CENTRAL REVENUE BUILDING, I.S.PRESS ROAD,
ERNAKULAM - PIN - 682 018.
3. THE INCOME TAX OFFICER, (TDS),
INCOME TAX DEPARTMENT,
OFFICE OF THE JOINT COMMISSIONER OF INCOME TAX
(TDS),CENTRAL REVENUE BUILDING, I.S.PRESS ROAD,
ERNAKULAM - PIN - 682 018.
4. THE KERALA STATE CO-OPERATIVE BANK LTD;;
REPRESENTED BY ITS MANAGING DIRECTOR,
COBANK TOWERS, PALAYAM,

THIRUVANANTHAPURAM - 695 033.

5. THE GENERAL MANAGER,
KERALA STATE CO-OPERATIVE BANK LTD.,
ERNAKULAM DISTRICT OFFICE,
ERNAKULAM, P.B NO. 4, KAKKANAD, KOCHI- 682030

BY SRI.P.VIJAYAKUMAR, ASG
BY SRI.GILBERT CORREYA, SC
BY SRI.JOSE JOSEPH, SC

THIS WRIT PETITION HAVING COME UP FOR ORDERS ON
28.04.2020, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

BECHU KURIAN THOMAS, J.

W.P.(C) TMP No.192 of 2020

Dated this the 28th day of April, 2020

ORDER

The Assistant Solicitor General of India takes notice for the 1st respondent. The learned Standing Counsel for Income Tax takes notice on behalf of respondents 2 and 3. Sri.Gilbert Correya, learned Standing Counsel takes notice on behalf of respondents 4 and 5.

The recovery under Section 194N of the Income Tax Act as against the petitioners pursuant to Exts.P1 to P3 shall stand stayed for a period of three months from today.

Post the writ petition along with the connected matters on 27.5.2020.

**BECHU KURIAN THOMAS
JUDGE**

vps

APPENDIX

PETITIONERS EXTS:

EXHIBIT P-1 :- A TRUE COPY OF THE LETTER DATED 30.09.2019
OF THE THIRD RESPONDENT

EXHIBIT P-2:- A TRUE COPY OF THE LETTER DATED 10.03.2020
OF THE FIFTH RESPONDENT ISSUED IN RESPECT OF THE FIRST
PETITIONER

EXHIBIT P-3:- A TRUE COPY OF THE LETTER DATED 10.03.2020
OF THE FIFTH RESPONDENT ISSUED IN RESPECT OF THE
SECOND PETITIONER.

EXHIBIT P-4:- A TRUE COPY OF THE OBJECTION DATED
17.3.2020 FILED BY THE FIRST PETITIONER FILED BEFORE THE
FIFTH RESPONDENT.

EXHIBIT P5:- TRUE COPY OF THE INTERIM ORDER DATED 23-3-
2020 IN W.P. (C) 9181/2020