

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE BECHU KURIAN THOMAS

THURSDAY, THE 30TH DAY OF APRIL, 2020 /10TH VAISAKHA, 1942

W.P. (C) .TMP No.241 OF 2020

PETITIONERS:

- 1.THE KANNAMBRA SERVICE CO-OPERATIVE BANK LTD
NO.F 1221,KANNAMBRA (P.O)
PALAKKAD-678687
REPRESENTED BY ITS SECRETARY, SHRI. R.SURENDRAN
- 2.THE VADAKKENCHERY SERVICE CO-OPERATIVE BANK LTD
VADAKKENCHERY (P.O)
PALAKKAD-678683
REPRESENTED BY ITS SECRETARY SHRI SUBASH V.K
- 3.THE PAZHAMBALACODE SERVICE CO-OPERATIVE BANK
KAZHANI PAZHAMBALA ROAD, ATHIPOTTA,
PALAKKAD -678544
REPRESENTED BY ITS SECRETARY SHRI ANIL KUMAR M.A
- 4.THE COYALMANNAM SERVICE CO-OPERATIVE BANK LTD
NO.F 1195, COYALMANNAM (P.O)
PALAKKAD- 678702
REPRESENTED BY ITS SECRETARY SHRI SAJITH .S
- 5.THE KOTTAYI SERVICE CO-OPERATIVE BANK LTD
NO.F 1223, (P.O) KOTTAYI
PALAKKAD-678572
REPRESENTED BY ITS SECRETARY SHRI VIJAYAN MADATHIL
- 6.THE PERINGOTTUKURUSSI SERVICE CO-OPERATIVE BANK LTD
NO. F .P519 , PILAPPULLI,
PERINGOTTUKURISSI (P.O)
PALAKKAD- 678574
REPRESENTED BY ITS SECRETARY SHRI K.VIJAYASANKARAN UNNI
- 7.THE KUTHANUR SERVICE CO-OPERATIVE BANK LTD
NO.F 1563, KUTHANUR EAST
PALAKKAD-678721,REPRESENTED BY ITS SECRETARY
SMT AMBIKA DEVI.V
- 8.THE KAVASSERI AGRICULTURAL IMPROVEMENT CO-OPERTAIVE

SOCIETY LTD
KAVASSERI (P.O)
PALAKKAD-678543
REPRESENTED BY ITS SECRETARYSMT SAMEENA. A

9. THE KIZHAKKENCHERY SERVICE CO-OPERATIVE BANK LTD
P.NO. 503, KIZHAKKENCHERI
PALAKKAD- 678684, REPRESENTED BY ITS SECRETARY SHRI
V.RAMAKRISHNAN
10. THE THANNIRANGAD SERVICE CO-OPERATIVE BANK LTD
NO. F 1065, MATHUR (P.O). PALAKKAD-678571
REPRESENTED BY ITS SECRETARY-IN-CHARGE SMT JAYA.V
11. THE ALATHUR SERVICE CO-OPERATIVE BANK LTD
BANK ROAD, ALATHUR
PALAKKAD-678541, REPRESENTED BY ITS SECRETARY-IN-CHARGE
SMT JAYALAKSHMI. V
12. THE ELAPULLY SERVICE CO-OPERATIVE BANK LTD
NO.F 1193, ELAPULLY (P.O), PALAKKAD-678007
REPRESENTED BY ITS SECRETARY SHRI PARTHAN
13. THE POLPULLY SERVICE CO-OPERATIVE BANK LTD
NO.F 1198, POLPULLY (P.O)
PALAKKAD-678552, REPRESENTED BY ITS SECRETARY SHRI
MANIKANDAN.K
14. THE PERINGODE SERVICE CO-OPERATIVE BANK LTD
PERINGODE (P.O) ,
PALAKKAD-678631, REPRESENTED BY ITS SECRETARY SMT
SASIKALA M.P
15. THE PARALI SERVICE CO-OPERATIVE BANK LTD
NO.F 6808, PARALI (P.O), PALAKKAD-678612
REPRESENTED BY ITS SECRETARY SHRI K. RAMASWAMY
16. THE NAGARIPURAM SERVICE CO-OPERATIVE BANK LTD
NO.F 1632, PATHIRAPALA. PALAKKAD-678642
REPRESENTED BY ITS SECRETARYSMT GEETHA .K
17. THE MANNUR SERVICE CO-OPERATIVE BANK LTD
NO.F 1582, (P.O) MANNUR
PALAKKAD, REPRESENTED BY ITS SECRETARY-IN-CHARGE SMT

VINODINI.O

- 18.THE VILAYANCHATHANUR SERVICE CO-OPERATIVE BANK LTD
NO.F 1599,VILAYANCHATANUR(P.O)
PALAKKAD-678671, REPRESENTED BY ITS SECRETARY. SMT
B.DEEPA
- 19.THE MANKARA SERVICE CO-OPERATIVE BANK
NO.P 363, MANLKARA(P.O), PALAKKAD-678613
REPRESENTED BY ITS SECRETARY -IN-CHARGESHRI
RADHAKRISHNAN. E.K
- 20.THE I T.I EMPLOYEES CO-OPERATIVE CREDIT SOCIETY LTD
NO.P 915,KANJIKODE, PALAKKAD-678623
REPRESENTED BY ITS SECRETARY -IN-CHARGESHRI S.V
UDAYAKUMAR
- 21.THE K.S.E.B EMPLOYEES CO-OPERATIVE SOCIETY LTD
NO.P 6711,
PALAKKAD-678014, REPRESENTED BY ITS SECRETARY
SMT P.V ALPHONSA
- 22.THE MUNDUR SERVICE CO-OPERATIVE BANK, LTD
NO.F 1650, MUNDUR (P.O), PALAKKAD
REPRESENTED BY ITS SECRETARY SHRI JIJUMON A.J
- 23.THE AKATHETHARA SERVICE CO-OPERATIVE BANK,LTD
NO.F 1514, AKATHETHARA (P.O), PALAKKAD-678008
REPRESENTED BY ITS SECRETARY, SMT SUBHA VARMA.P
- 24.THE PALAKKAD SERVICE CO-OPERATIVE BANK LTD
NO.F 1200,G.B ROAD, PALAKKAD-678001
REPRESENTED BY ITS SECRETARY SHRI RAMESH KUMAR.C
- 25.THE PERUVEMBA SERVICE CO-OPERATIVE BANK LTD
NO.F 1648, PERUVEMBA(P.O), PALKKAD-678531
REPRESENTED BY ITS SECRETARY SHRI VIPIN RAJ.U
- 26.THE MARUTHARODE SERVICE CO-OPERATIVE BANK LTD
NO. P 1253, MARUTHARODE (P.O)
PALAKKAD-678007, REPRESENTED BY ITS SECRETARY,
SHRI NISIN K.N

27.THE PARALI SERVICE URBAN CREDIT SOCIETY LTD
NO.F 6808, PARALI (P.O), PALAKKAD-678612
REPRESENTED BY ITS SECRETARY, SMT. SUJATHA.N

28.THE KANJIKODE SERVICE CO-OPERATIVE BANK LTD
NO.F 119, KANJIKODE (P.O), PALAKKAD-678621
REPRESENTED BY ITS SECRETARY, SHRI M. GURURAJALINGAM

29.THE THADUKKASERY SERVICE CO-OPERATIVE BANK LTD
NO.F 534, PALAKKAD- 678641,
REPRESENTED BY ITS SECRETARY SHRI VIJAYAKUMARI M

BY ADV. SRI.C. A. JOJO.

RESPONDENT/RESPONDENTS:

1.THE PRINCIPAL CHIEF COMMISSIONER OF INCOME TAX ,
KERALA REGION, MINISTRY OF FINANCE, GOVERNMENT OF INDIA
CENTRAL REVENUE BUILDING, I.S PRESS ROAD, KOCHI-682018

2.THE COMMISSIONER OF INCOME TAX (TDS)
C.R BUILDING, I.S PRESS ROAD, KOCHI-682018

3. THE INCOME TAX OFFICER(TDS)
AYAKKAR BHAVAN ,CHURCH ROAD
PALAKKAD-678001

4.THE KERALA STATE CO-OPERATIVE BANK LTD,
(ERSTWHILE PALAKKAD DISTRICT SERVICE CO-OPERTAIVE BANK) ,
HEAD POST OFFICE ROAD, SULTHANPETTA,
PALAKKAD-678001

5.THE REGISTRAR OF CO-OPERATIVE SOCIETIES ,
JAWAHAR SAHAKARANA BHAVAN,
D.P.I JUNCTION , THYCAUD P.O
THIRUVANATHAPURAM-695014

R1-3, BY SRI.JOSE JOSEPH, SC

R5 BY SRI.T.S.SYAMPRESANTH, GOVT.PLEADER

R4 BY ADV.GILBERT CORREYA, SC

THIS WRIT PETITION HAVING COME UP FOR ORDERS ON 30/04/2020,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:-

BECHU KURIAN THOMAS, J.

W.P.(C) TMP No.241 of 2020

Dated this the 30th day of April, 2020

ORDER

Adv. Jose Joseph, learned Standing Counsel for the Income Tax takes notice on behalf of respondents 1 to 3. Government Pleader takes notice on behalf of the 5th respondent and Adv.Gilbert Correya, learned Standing Counsel takes notice on behalf of the 4th respondent.

Recovery under Section 194N of the Income Tax Act as against the petitioners pursuant to Exts.P1 to P29 shall stand stayed for a period of three months from today.

Post the Writ Petition along with the connected matters on 27.05.2020.

**BECHU KURIAN THOMAS
JUDGE**

APPENDIX

PETITIONERS' EXHIBITS:

EXHIBIT-P1 -TRUE COPY OF THE NOTICE DATED 12.3.2020
ISSUED BY THE 4TH RESPONDENT BANK TO THE 1ST PETITIONER
EEEXHIBIT-P1(A) -TRUE COPY OF THE ENGLISH TRANSLATION OF
THE NOTICE DATED 12.3.2020 ISSUED BY THE 4TH RESPONDENT
BANK TO THE 1ST PETITIONER
EXHIBIT-P2 -TRUE COPY OF THE NOTICE DATED 12.3.2020
ISSUED BY THE 4TH RESPONDENT BANK TO THE 2ND PETITIONER
EXHIBIT-P3 -TRUE COPY OF THE NOTICE DATED 12.3.2020
ISSUED BY THE 4TH RESPONDENT BANK TO THE 3RD PETITIONER
EXHIBIT-P4 -TRUE COPY OF THE NOTICE DATED 12.3.2020
ISSUED BY THE 4TH RESPONDENT BANK TO THE 4TH PETITIONER
EXHIBIT-P5 -TRUE COPY OF THE NOTICE DATED 12.3.2020
ISSUED BY THE 4TH RESPONDENT BANK TO THE 5TH PETITIONER
EXHIBIT-P6 -TRUE COPY OF THE NOTICE DATED 12.3.2020
ISSUED BY THE 4TH RESPONDENT BANK TO THE 6TH PETITIONER
EXHIBIT-P7 -TRUE COPY OF THE NOTICE DATED 12.3.2020
ISSUED BY THE 4TH RESPONDENT BANK TO THE 7TH PETITIONER
EXHIBIT-P8-TRUE COPY OF THE NOTICE DATED 12.3.2020
ISSUED BY THE 4TH RESPONDENT BANK TO THE 8TH PETITIONER
EXHIBIT-P9-TRUE COPY OF THE NOTICE DATED 12.3.2020
ISSUED BY THE 4TH RESPONDENT BANK TO THE 9TH PETITIONER
EXHIBIT-P10-TRUE COPY OF THE NOTICE DATED 12.3.2020
ISSUED BY THE 4TH RESPONDENT BANK TO THE 10TH PETITIONER
EXHIBIT-P11-TRUE COPY OF THE NOTICE DATED 12.3.2020
ISSUED BY THE 4TH RESPONDENT BANK TO THE 11TH PETITIONER
EXHIBIT-P12-TRUE COPY OF THE NOTICE DATED 12.3.2020
ISSUED BY THE 4TH RESPONDENT BANK TO THE 12TH PETITIONER
EXHIBIT-P13-TRUE COPY OF THE NOTICE DATED 12.3.2020
ISSUED BY THE 4TH RESPONDENT BANK TO THE 13TH PETITIONER
EXHIBIT-P14-TRUE COPY OF THE NOTICE DATED 12.3.2020
ISSUED BY THE 4TH RESPONDENT BANK TO THE 14TH PETITIONER
EXHIBIT-P15-TRUE COPY OF THE NOTICE DATED 12.3.2020
ISSUED BY THE 4TH RESPONDENT BANK TO THE 15TH PETITIONER

EXHIBIT-P16-TRUE COPY OF THE NOTICE DATED 12.3.2020
ISSUED BY THE 4TH RESPONDENT BANK TO THE 16TH PETITIONER

EXHIBIT-P17-TRUE COPY OF THE NOTICE DATED 12.3.2020
ISSUED BY THE 4TH RESPONDENT BANK TO THE 17TH PETITIONER

EXHIBIT-P18-TRUE COPY OF THE NOTICE DATED 12.3.2020
ISSUED BY THE 4TH RESPONDENT BANK TO THE 18TH PETITIONER

EXHIBIT-P19-TRUE COPY OF THE NOTICE DATED 12.3.2020
ISSUED BY THE 4TH RESPONDENT BANK TO THE 19TH PETITIONER

EXHIBIT-P20-TRUE COPY OF THE NOTICE DATED 12.3.2020
ISSUED BY THE 4TH RESPONDENT BANK TO THE 20TH PETITIONER

EXHIBIT-P21-TRUE COPY OF THE NOTICE DATED 12.3.2020
ISSUED BY THE 4TH RESPONDENT BANK TO THE 21ST
PETITIONER

EXHIBIT-P22-TRUE COPY OF THE NOTICE DATED 12.3.2020
ISSUED BY THE 4TH RESPONDENT BANK TO THE 22ND
PETITIONER

EXHIBIT-P23-TRUE COPY OF THE NOTICE DATED 12.3.2020
ISSUED BY THE 4TH RESPONDENT BANK TO THE 23RD PETITIONER

EXHIBIT-P24-TRUE COPY OF THE NOTICE DATED 12.3.2020
ISSUED BY THE 4TH RESPONDENT BANK TO THE 24TH
PETITIONER

EXHIBIT-P25-TRUE COPY OF THE NOTICE DATED 12.3.2020
ISSUED BY THE 4TH RESPONDENT BANK TO THE 25TH
PETITIONER

EXHIBIT-P26-TRUE COPY OF THE NOTICE DATED 12.3.2020
ISSUED BY THE 4TH RESPONDENT

EXHIBIT-P27-TRUE COPY OF THE NOTICE DATED 12.3.2020
ISSUED BY THE 4TH RESPONDENT BANK TO THE 27TH
PETITIONER BANK TO THE 26TH PETITIONER

EXHIBIT-P28-TRUE COPY OF THE NOTICE DATED 12.3.2020
ISSUED BY THE 4TH RESPONDENT BANK TO THE 28TH
PETITIONER

EXHIBIT-P29-TRUE COPY OF THE NOTICE DATED 12.3.2020
ISSUED BY THE 4TH RESPONDENT BANK TO THE 29TH
PETITIONER