

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE BECHU KURIAN THOMAS

TUESDAY, THE 05TH DAY OF MAY, 2020/15TH VAISAKHA, 1942

W.P(C) TMP NO.258 OF 2020

PETITIONER:

PERINJANAM SERVICE CO OPERATIVE BANK LTD R 720,
P.O PERINJANAM ,THRISSURDISTRICT,KERALA -680686,
REPRESENTED BY ITS SECRETARY.

BY ADV M SASINDRAN

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)
AAYAKARBHAVAN, SAKTHANTHAMPURAN NAGAR,
THRISSUR - 680 001.
5. THRISSUR 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.P.VIJAYAKUMAR, ASGI
SRI.HARISH K.P., GOVT. PLEADER
SRI.JOSE JOSEPH, SC
SRI.GILBERT CORREYA, SC

THIS WRIT PETITION HAVING COME UP FOR ADMISSION ON 05.05.2020,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

BECHU KURIAN THOMAS,J.

W.P.(C) TMP No.258 of 2020

Dated this the 5th day of May, 2020

ORDER

Learned Assistant Solicitor General of India takes notice on behalf of the 1st respondent. Adv. Jose Joseph, learned Standing Counsel for the Income Tax, takes notice on behalf of respondents 2 to 4. Learned Government Pleader takes notice on behalf of the 6th respondent. Adv. Gilbert Correya, learned Standing Counsel takes notice on behalf of 5th respondent.

In view of the order dated 23.3.2020 in W.P.(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 194N of the Income Tax Act for three months.

Post this writ petition along with connected matters on
27.5.2020.

**BECHU KURIAN THOMAS
JUDGE**

vps

APPENDIX

PETITIONER'S/S' EXTS:

EXHIBIT P1. A TRUE COPY OF THE NOTICE DATED 9.3.2020 ISSUED BY THE 5TH RESPONDENT TO THE PETITIONER.

EXHIBIT P2. A TRUE COPY OF THE G.O.(MS)NO. 324/2016/FIN DATED 15.8.2016.

EXHIBIT P3. A TRUE COPY OF THE GOVERNMENT ORDER DATED 18.8.2016.

EXHIBIT P4. A TRUE COPY OF THE INTERIM ORDER IN W.P.(C)NO. 8333 OF 2020