

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE BECHU KURIAN THOMAS

TUESDAY, THE 5TH DAY OF MAY, 2020 /15TH VAISAKHA, 1942

W.P. (C) .TMP No.302 OF 2020

PETITIONER:

MALAYATTOOR - NEELEESWARAM SERVICE CO-OPERATIVE BANK
LIMITED NO E 86, NEELEESWARAM.P.O., ERNAKULAM DISTRICT
REPRESENTED BY ITS SECRETARY.

BY ADV. SRI O.D. SIVADAS

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),
CENTRAL REVENUE BUILDING, I.S.PRESS ROAD,
ERNAKULAM., PIN -682 018.

4 ICICI BANK REPRESENTED BY ITS GENERAL MANAGER,
REGIONAL OFFICE, EMGEE SQUARE BUILDING, M.G.ROAD,
ERNAKULAM COLLEGE, ERNAKULAM, PIN 682 035.

5 THE BRANCH MANAGER,
ICICI BANK, KALADY BRANCH, KALADY,
ERNAKULAM DISTRICT. PIN - 683 574

BY SRI.P.VIJAYAKUMAR, ASGI
SRI.JOSE JOSEPH, SC

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

BECHU KURIAN THOMAS,J.

W.P.(C) TMP No.302 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 and 3. Issue notice by speed post to respondents 4 and 5.

It is submitted by the learned counsel for the petitioner that recovery has already been effected from the Petitioner. In such circumstances, in view of the order dated 23.3.2020 in W.P.(C) No.9333 of 2020 and connected cases, no further recovery shall be made from the petitioner's account of deduction of tax at source, pending disposal of the writ petition.

Post this writ petition along with connected matters on
27.5.2020.

**BECHU KURIAN THOMAS
JUDGE**

vps

APPENDIX

PETITIONER' S EXHIBITS

Ext. P1- True copy of the account statement of the 4th respondent bank.