IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.1.2016

CORAM

THE HONOURABLE MR.JUSTICE M.JAICHANDREN
AND
THE HONOURABLE MRS.JUSTICE S.VIMALA

Tax Case Appeal No.493 of 2015

The Assistant Commissioner of Income Tax,
Company Circle III, Chennai .. Appellant/Respondent

Versus

M/s.Team Trans Logistics Private Limited,
No.23, Linghi Chetty Street,2nd Floor,
Chennai 600 001. PAN: AADCT 1328A ..Respondent/ Appellant

Prayer: Appeal presented to the High Court against the order of the Income Tax Appellate Tribunal Madras `C' Bench, dated 5.2.2015, in I.T.A.No.1/Mds/2015 as against the order of the Commissioner of Income Tax, (Appeals)-III, Chennai - 34 in ITA.NO.1857/2013-14, dated 27.10.2014 and the order of the Assistant Commissioner of Income Tax, Company Circle III(2), Chennai-34 for the assessment year 2010-2011 dated 28.03.2013.

For Appellant : Mr.T.Ravikumar
Mr.T.R.Senthil Kumar
Mr.J.Narayanaswamy
Mr.M.Swaminathan
For Respondent : Mr.N.Devanathan

O R D E R

The learned counsels appearing for the Appellant/Revenue had submitted that they may be permitted by this Court to withdraw the present tax case appeal, in view of the Circular No.21 of 2015, issued by the Central Board of Direct Taxes, Department of Revenue, Ministry of Finance, Government of India, dated 10.12.2015, as the tax effect relating to the matter is less than Rs.20,00,000/-.

2. The learned counsels had further submitted that liberty may be granted to the Appellant/Revenue to revive the tax case appeal, if it is found that it had been withdrawn, inadvertently, even though it falls under the exceptions mentioned in paragraph 8 of the circular.

3. In view of the said submissions made by the learned counsels appearing for the Appellant/Revenue, the present tax case appeal stands dismissed, as withdrawn. It is made clear that the questions of law, which may arise for the decision of this Court, in the present tax case appeal, are left open to be considered and decided in appropriate cases, in accordance with law. It is also made clear that it would be open to the Appellant/Revenue to revive the tax case appeal, if it is found that it had been withdrawn, inadvertently, even though it falls under the exceptions mentioned in paragraph 8 of the Circular, within a period of twelve weeks from today. No costs.

sd/-
Assistant Registrar(CCC)

/TRUE COPY/

Sub-Assistant Registrar

ssk.

To:

1.The Income Tax Appellate Tribunal Madras `C' Bench.

2.The Comm of Income Tax(Appeals)-III,
121, Mahatma Gandhi Road, Chennai - 34.

3.The Assistant Commissioner of Income Tax,
Company Circle III(2), Chennai - 34.

+1 CC to MR.N.Devanathan Advocate. SR.NO. 5951

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CO-CNR
JD 08/02/2016