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.945 of 2009

Commissioner of Income Tax
Chennai-IV, .. Appellant/Appellant

Versus

M/s.Radaan Media Works (India) Ltd.,
10, Paul Appasamy Street, T.Nagar,
Chennai-600 017. .. Respondent/Respondent

Prayer: Appeal presented to the High Court against the order of the Income Tax Appellate Tribunal Madras `D' Bench, dated 20.3.2009, in I.T.A.No.812/Mds/2008. Against the Commissioner of Income Tax (Appeals)-VI order dated 26.12.2007, in ITA No.177/06,07, for Assessment year 2004-2005, against the Assessment order, dated 28.12.2006 in GIR No.10008-R/AABCR3815L for Assessment Year 2004-2005.

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

For Respondent : Mr.S.Sridhar

WEB COPY

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that liberty may be granted to the Appellant/Revenue to revive the tax case appeal, if it is found that it had been withdrawn,

https://hcservices.ecourts.gov.in/hcservices/

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made by the learned counsels appearing for the Appellant/Revenue, the present tax case appeal stands dismissed, as withdrawn.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clear that it would be open to the Appellant/Revenue to revive the tax case appeal, if it is found that it had been withdrawn, inadvertently, even though it falls under the exceptions mentioned in paragraph 8 of the Circular, within a period of twelve weeks from today.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

//True Copy//

Sub Assistant Registrar

ssk.

To:
1. The Income Tax Appellate Tribunal
Madras `D' Bench.

2. The Commissioner of Income Tax,
(Appeals)VI, Chennai.

3. The Assistant Commissioner of Income Tax,
Media circle II, Chennai.

+1 cc to Mr.S.Sridhar, Advocate, sr.3974
+1 cc to Mr.J.Narayanasamy, Advocate, sr.6339

Tax Case Appeal No.945 of 2009

ctk co
kra 19.02.2016

WEB COPY

https://hcservices.ecourts.gov.in/hcservices/