IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.1.2016

CORAM

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

Tax Case Appeal Nos.486 & 487 of 2013

The Commissioner of Income Tax
Chennai .. Appellant in both the appeals

Versus

M/s.A.S.Shipping Agencies (P) Ltd.,
113, Armenian Street,
Chennai-600 001 .. Respondent in both the appeals

Prayer: Appeals filed u/s. 260 A of the IT.Act 1961 presented to the High Court against the order of the Income Tax Appellate Tribunal Madras `D' Bench, dated 17.12.2012, in I.T.A.Nos.827/Mds/2010 and 852/Mds/2010 (Assessment year 2006 of)

against the Commissioner of Income Tax Appeals-III, Chennai order dated 18.03.2010 in ITA.No.513/08-09/A-III

against the Deputy Commissioner of Income Tax, Company Circle-I, (1), Chennai order dated 23.12.2008 in GIR NO.AAACA2906N/AXI-026.

For Appellant : Mr.T.R.Senthilkumar
Mr.J.Narayanasamy
Mr.M.Swaminathan
For Respondent : M/s. S. Sridhar,

COMMON JUDGMENT

The learned counsels appearing for the Appellant/Revenue had submitted that they may be permitted by this Court to withdraw the present tax case appeals, 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that liberty may be granted to the Appellant/Revenue to revive the tax case appeals, if it is found that they had been withdrawn, inadvertently, even though they fall under the exceptions mentioned in paragraph 8 of the circular.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made by the learned counsels appearing for the Appellant/Revenue, the present tax case appeals stand dismissed, as withdrawn.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 appeals, 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clear that it would be open to the Appellant/Revenue to revive the tax case appeals, if it is found that they had been withdrawn, inadvertently, even though they fall under the exceptions mentioned in paragraph 8 of the Circular, within a period of twelve weeks from today. No costs.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

usk/msk

To:

1. The Income Tax Appellate Tribunal
Madras `D' Bench, Chennai.

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

3. The Additional CIT, Company Range-I, Chennai.

4. The Deputy Commissioner of Income
Tax Company Circle, Chennai.1,

+ 1 cc to Mr.T. Ravi Kumar, Advocate SR.4131
+ 1 cc to Mr.S. Sridhar, Advocate SR.4330

Tax Case Appeal Nos.486 & 487 of 2013

CTK(CO)
EU 04.2.16