

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 04.07.2016

CORAM :

THE HONOURABLE MR. JUSTICE S.MANIKUMAR
and
THE HONOURABLE MR. JUSTICE D.KRISHNAKUMAR

Tax Case Appeal No. 367 of 2016

R.M. Muthukaruppan

... Appellant

Vs

Commissioner of Income Tax-I
Coimbatore

... Respondent

Prayer: This Memorandum of Appeal is filed under Section 260A of the Income Tax Act, 1961 against the order of the Income Tax Appellate Tribunal 'A' Bench, Chennai dated 16.09.2015 passed in M.P. No. 105/Mds/2015 arising out of I.T.A.No.2395/Mds/2014, against the Order of the Income Tax Appellate Tribunal "A" Bench, Chennai dated 19.06.2015 made in I.T.A.No.2395/Mds/2014 for the Assessment Year 2010-11, and against the Order of the Commissioner of Income Tax(Appeals) - I, Coimbatore, dated 22.07.2014 made in P.A.No./GIR.No.TAN AHNPMO941L, and against the Order of the Assistant Commissioner of Income Tax, Circle III, Coimbatore, dated 23.03.2013, made in P.A.No./GIR.No. AHNPMML941L.

For Appellant : Mr. T. Vasudevan

For Respondent : Mr.T.R.Senthil Kumar
Senior Standing Counsel for I.T

J U D G M E N T

(Judgment of the Court was made by S.Manikumar,J)

This Tax Case Appeal has been filed against the order of the Income Tax Appellate Tribunal 'A' Bench, Chennai, dated 16.09.2015 passed in M.P. No. 105/Mds/2015 arising out of I.T.A. No.2395/ Mds/2014, whereby, the Tribunal has observed that it has no power to review the order made in I.T.A. No. 2395/Mds/2014 dated 19.06.2015 and dismissed the Miscellaneous Petition.

2. In as much as the substantial questions of law that have been raised in the connected T.C.A No. 366 of 2016, pertains to the validity of reference under Section 55A of the Income Tax Act, Mr. T. Vasudevan learned counsel for the appellant submitted that he would withdraw this appeal. He has also made an endorsement to that effect.

3. Placing on record the above submission and the endorsement of the learned counsel for the appellant, the T.C.A. No. 367 of 2016 is dismissed as withdrawn.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

avr

To

- 1.The Income Tax Appellate Tribunal,
"A" Bench, Chennai.
- 2.The Commissioner of Income Tax(Appeals)-I,
Coimbatore.
- 3.The Assistant Commissioner of Income Tax,
Circle III, Coimbatore.

T C A No.367 of 2016

EV(CO)
CA(23/07/2016)

सत्यमेव जयते

WEB COPY