

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.02.2016

CORAM

THE HONOURABLE Mr. JUSTICE M.DURAI SWAMY

W.P.No.4677 of 2016

M/s.REGEN Powertech Private Ltd
Rep. by its Joint Managing Director
R.Sundaresh
No.2 Harrington Road
7th Floor, KRM Plaza, North Tower
Chetpet, Chennai-600 031. ... Petitioner

v.

- 1 The Central Board of Direct Taxes
Rep. by its Chairperson
Department of Revenue-Ministry of Finance
Government of India
New Delhi
- 2 The Deputy Commissioner of Income Tax
Corporate Circle-5(1)
121, Nungambakkam High Road
Chennai-600 034. .. Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of mandamus to direct the first respondent to dispose the application dated 25.3.2015 filed on 10.4.2015 for condonation of delay in filing the return of income under Section 139(1) of the Income Tax Act 1961 filed by the petitioner Company for the impugned Assessment Year 2014-15

For Petitioner : Mr.R.Sivaraman
For Respondent : Mr.T.Ravikumar
Standing Counsel

ORDER

The petitioner has filed the above writ petition to issue a Writ of Mandamus to direct the first respondent to dispose of the application dated 25.3.2015 filed on 10.4.2015 for condonation of delay in filing the return of income under Section 139(1) of the Income Tax Act 1961 filed by the petitioner Company for the impugned Assessment Year 2014-15

2. Mr.T.Ravikumar, learned Standing Counsel takes notice for the respondents and submitted that the first respondent may be directed to consider the petitioner's application dated 25.3.2015, within a stipulated time.

3. Having regard to the submissions made by the learned counsel on either side and also taking into consideration the limited prayer sought for in the writ petition, without expressing any opinion with regard to the merits of the case, I direct the first respondent to consider the petitioner's application dated 25.3.2015, on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order, preferably, on or before 31.03.2016.

With this observation, the writ petition is disposed of.
No costs.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

rj

To

1 The Chairperson
Central Board of Direct Taxes
Department of Revenue-Ministry of Finance
Government of India
New Delhi

2 The Deputy Commissioner of Income Tax
Corporate Circle-5(1)
121, Nungambakkam High Road
Chennai-600 034.

+1 cc to Mr.R.Sivaraman, Advocate sr.8621
+1 cc to Mr.T.Ravikumar Advocate sr.7847

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