

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 19.01.2017

Coram

THE HONOURABLE MR. JUSTICE RAJIV SHAKDHER

W.P.Nos.1383 and 1384 of 2017
and WMP No.1298 and 1299 2017

P.Elango

.. Petitioner in both W.Ps

vs.

The Assistant Commissioner of Income Tax,
Non Corporate Circle 1,
63, Race Course Road,
Coimbatore-641 018.

.. Respondent in both W.Ps

Prayer in W.P.No.1383 of 2017 : Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus calling for the records relating to the orders passed by the respondent dated 29.12.2016, in reference No.AACPE0727G with respect to the petitioner for the Assessment Year 2007-08 quash the same and consequently direct the respondent to conduct the Assessment Proceedings in accordance with the Directions and Observations contained in the order passed by the Income Tax Appellate Tribunal in I.T.A.Nos.1392 and 2973/Mds./2014, dated 08.05.2015.

Prayer in W.P.No.1384 of 2017 : Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus calling for the records relating to the orders passed by the respondent dated 29.12.2016, in reference No.AACPE0727G with respect to the petitioner for the Assessment Year 2010-11 quash the same and consequently direct the respondent to conduct the Assessment Proceedings in accordance with the Directions and Observations contained in the order passed by the Income Tax Appellate Tribunal in I.T.A.Nos.1392 and 2973/Mds./2014, dated 08.05.2015.

For Petitioner in : Mr.Niranjan Rajagopalan
both the W.Ps.

For Respondent in : Mr.T.Pramod Kumar Chopda
both the W.Ps. Standing Counsel for Income Tax

COMMON ORDER

1. After some arguments, learned counsel for the petitioner seeks to withdraw the captioned writ petitions, with liberty to take recourse to an appropriate statutory remedy.

2. Accordingly, the writ petitions are dismissed as withdrawn, with liberty, to take recourse to an appropriate statutory remedy, albeit, in accordance with law. Resultantly, the pending applications shall stand closed. There shall, however, be no order as to costs.

sd/
Assistant Registrar (CCC)

/true copy/

Sub Assistant Registrar

To

The Assistant Commissioner of Income Tax,
Non Corporate Circle 1,
63, Race Course Road,
Coimbatore-641 018.

+1cc to Mr.T.Pramod Kumar Chopda Advocate Sr.No.3842
+1cc to Mr.G.R.Associates, Advocate SR.No.3836.

W.P.Nos.1383 and 1384 of 2017
and WMP Nos.1298 & 1299 of 2017

GJI (CO)
GN(10/02/2017)

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