

The Hon'ble Sri Justice C.V.Nagarjuna Reddy
and
The Hon'ble Smt. Justice Kongara Vijaya Lakshmi
Writ Petition No.26961 of 2017
Date: 15.12.2017

Between:

M/s.KSR Properties Pvt. Ltd.,
Hyderabad, rep. by its Director Kaka Hari Babu

... Petitioner

and

The Commissioner of Income Tax (TDS)
AC Guards, Hyderabad and another

... Respondents

Counsel for the Petitioner: Dr.C.P.Ramaswami

**Counsel for the respondents: Ms.K.Mamata,
Sr.SC for Income Tax Dept.,**

The Court made the following:



Order: (Per the Hon'ble Sri Justice C.V.Nagarjuna Reddy)

This Writ Petition is filed for the following substantive relief:

“to issue an order, writ or direction more particularly one in the nature of Writ of Mandamus declaring the impugned sanction order u/s.279(1) of the Income Tax Act, 1961 passed F.No.CIT(TDS)/HYD/PROS /197/16-17/2017-18 DATED : 07.04.2017 by the 1st Respondent as illegal, arbitrary and unsustainable in law in terms of the provisions of the of the Income-Tax Act, 1961 and quashing the said impugned order, and consequently, to direct the second Respondent not to launch the prosecution u/s.276B read with section 278B of the Income Tax Act, 1961.”

After arguing the case, Dr.C.P.Ramaswami, learned Counsel for the petitioner, requested for permission of the Court to withdraw the Writ Petition with liberty to his client to avail the remedy under the Code of Criminal Procedure, 1973, for quashing of the Criminal Case.

The request of the learned Counsel for the petitioner is accepted and the Writ Petition is, accordingly, dismissed as withdrawn with liberty to the petitioner in terms of the request made.

As a sequel, Miscellaneous Petitions, pending if any, stand disposed of as infructuous.

(C.V.Nagarjuna Reddy, J)

(Kongara Vijaya Lakshmi, J)

Dt: 15th December, 2017
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