In the High Court of Judicature at Madras

Dated : 11.10.2018

Coram :

The Honourable Mr.Justice T.S.SIVAGNANAM

and

The Honourable Mrs.Justice V.BHAVANI SUBBAROYAN

Tax Case Appeal Nos.965 & 966 of 2009

The Commissioner of Income Tax,
Chennai ...Appellant

Vs

M/s.Palaya Dhandayudapani Trust,
Chennai-1 ...Respondent

APPEALS under Section 260A of the Income Tax Act, 1961 against the common order dated 14.3.2008 in ITA Nos.2190 and 2191/Mds/2007 on the file of the Income Tax Appellate Tribunal Madras 'B' Bench respectively for the assessment years 1999-2000 and 2000-01 against the orders of the Commissioner of Income Tax (Appeals) XI dated 20.04.2007 in ITA.No.502 & 503/06-07 in the assessment year 1999-2000 & 2000-2001 and against the orders of the Income Tax Officer (OSD) (Exemptions)II Chennai 34 dated 29.12.2006 in PAN/GIR.No-2712-P for the Assessment Year 1999-2000, 2000-2001

For Appellant : Mr.Karthik Ranganathan
For Respondent : Mr.R.Kumar

COMMON JUDGMENT
(Judgment was delivered by T.S.SIVAGNANAM,J)

Heard the learned counsel for the appellant.

2. These appeals by the Revenue challenge the common order passed by the Income Tax Appellate Tribunal, which decided the issue in favour of the assessee.

3. The Revenue seeks to withdraw the appeals on account of low tax effect in terms of Circular No.3 of 2018 dated 11.7.2018 issued by the Central Board of Direct Taxes.

4. In the light of the above, the appeals are dismissed as withdrawn and the substantial question of law framed is left open. In the event, in each of the cases, the tax effect is above the threshold limit fixed in the said circular, liberty is granted to the Revenue to make a mention to this Court to restore the appeals to be heard and decided on merits. No costs.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

To
The Income Tax Appellate Tribunal, Madras 'B' Bench, Chennai

2.The Commissioner of Income Tax,
Appeals XI, Chennai 34.

3.The Income Tax Officer,
OSD(examptions) II, Chennai 34

4.The Commissioner of Income Tax, Chennai

+1cc to MR.Sivaraman, Advocate SR.NO.71263

MG(CO)
sm:1.11.2018