

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.04.2018
CORAM

The HON'BLE MS.INDIRA BANERJEE, CHIEF JUSTICE
The HON'BLE MR.JUSTICE ABDUL QUDDHOSE

W.P.No.8330 of 2018

Sushil Mohan

.. Petitioner

Vs.

1 The Income Tax Appellate Tribunal
A-3, II Floor, Rajaji Bhavan
Besant Nagar, Chennai - 90.

2 The Commissioner of Income Tax Authority
Office of the Income Tax Officer
Business Ward XIV (2)
121, M.G.Road, Nungambakkam High Road
Chennai - 600 034.

.. Respondents

PRAYER: Petition under Article 226 of the Constitution of India for issuance of a writ of Certiorarified Mandamus to call for the records of the order of the first respondent dated 20.6.2017 and quash the same and remit the matter to the first respondent, consequently directing the first respondent to pass just and appropriate orders on the merits of the appeal of the petitioner in I.T.A.No.1746/Mds/2015 in respect of the assessment year 2009-10.

For Petitioner : Ms.Rema Smrithi V.K.

For Respondents : Mr.J.Narayanasamy
Standing Counsel

ORDER
(Made by Ms.Indira Banerjee, Chief Justice)

The issues involved in this writ petition are covered by the judgment and order dated 16.4.2018 passed in W.P.No.8126 of 2018 [N.S.Mohan v. The Income Tax Appellate Tribunal and another].

2. For the reasons stated in the said order dated 16.4.2018, the writ petition is allowed and the impugned order is set aside. The learned Tribunal is directed to consider the matter on merits and take a fresh decision in accordance with law, preferably within 45 days from the date of communication of this order. Consequently, W.M.P.No.10303 and 10304 of 2018 are closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

sasi

To:

- 1 The Assistant Registrar
Income Tax Appellate Tribunal
A-3, II Floor, Rajaji Bhavan
Besant Nagar, Chennai - 90.
- 2 The Commissioner of Income Tax Authority
Office of the Income Tax Officer
Business Ward XIV (2)
121, M.G.Road, Nungambakkam High Road
Chennai - 600 034.

+1cc to M/s.Rema Smirithi, Advocate, S.R.No.27990

+1cc to Mr.J.Narayanasamy, Advocate, S.R.No.28499

W.P.No.8330 of 2018

SJ(CO)

RRK(15/05/2018)

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