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 No.642 of 2011

Commissioner of Income Tax-II,
Madurai ..Appellant/Respondent

Vs

Shri Shanthi Niketan Trust,
Uthamapalayam, Theni District ..Respondent/Appellant

APPEAL under Section 260A of the Income Tax Act, 1961 against the order dated 23.6.2011 in ITA No.209/Mds/2011 on the file of the Income Tax Appellate Tribunal Chennai 'B' Bench preferred against the order dated 21.12.2010 made in C.N.464/53/CIT-I/2009-2010 on the file of the Commissioner of Income Tax-I Madurai.

For Appellant : Mr.Karthik Ranganathan

For Respondent: Mr.R.Venkata Narayanan for M/s.Subbaraya Aiyer Padmanabhan



Judgment was delivered by T.S.SIVAGNANAM,J

Heard the learned counsel for the appellant.

2. This appeal by the Revenue challenges the order passed by the Income Tax Appellate Tribunal, which decided the issue in favour of the assessee.

3. The Revenue seeks to withdraw the appeal 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 In the light of the above, the appeal is dismissed as withdrawn and the substantial questions of law framed are left open. In the event 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 appeal to be heard and decided on merits. No costs.

Sd/-
Assistant Registrar(Co)

//True Copy//

Sub Assistant Registrar

To

1. The Assistant Registrar
   The Income Tax Appellate Tribunal,
   Chennai 'B' Bench.

2. The Commissioner of Income Tax-II, Madurai/

3. The Commissioner of Income Tax-I, Madurai.

4. The Commissioner of Income Tax(HQV)-I, Madurai.

+ 1 cc to M/s. Subbaraya Aiyar, Padmahabhan, Advocate Sr.71181

TCA.No.642 of 2011

RSI(CO)
EU(19/11/2018)