

In the High Court of Judicature at Madras

Dated : 29.11.2018

Coram :

The Honourable Mr.Justice T.S.SIVAGNANAM

and

The Honourable Mr.Justice N.SATHISH KUMAR

Tax Case Appeal No.344 of 2012

The Commissioner of Income Tax, Chennai ...Appellant

Vs

M/s.R.K.Textiles, Karur ...Respondent

APPEAL under Section 260A of the Income Tax Act, 1961 against the order dated 20.4.2012 in ITA No.205/Mds/2012 on the file of the Income Tax Appellate Tribunal Chennai 'A' Bench for the assessment year 2007-08.

Against the Order dated 16/11/2011 made in ITA.No. 361 of 2009-10 on the file of the Commissioner of Income Tax (appeals) for the assessment Year 2007-08.

Against the Order dated 30/12/2009 made in PAN AAAGR6620H on the file of the Deputy commissioner of Income Tax Circle II for the Assessment Year 2007-08.

For Appellant : Mrs.R.Hemalatha, SSC

For Respondent : Mr.A.S.Sriraman for Mr.S.Sridhar

JUDGMENT

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 In the light of the above, the appeal is dismissed as withdrawn and the substantial question of law framed is left open. In the event the tax effect is above the threshold limit fixed in the said circular under exceptional clauses mentioned in the 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 (CS-VI)

//True Copy//

Sub Assistant Registrar

To

- 1.The Income Tax Appellate Tribunal,
Chennai 'A' Bench.
- 2.The Commissioner of Income Tax (Appeals0,
Chennai.
- 3.The Deputy Commissioner of Income Tax,
Circle - II, Chennai.

+1cc to Mr.T.Ravi Kumar, Advocate, S.R.No. 82037
+1cc to Mr.T.Ravi Kumar, Advocate, S.R.No. 81847

TCA.No.344 of 2012

RSV(CO)
GN(21/12/2018)

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