In the High Court of Judicature at Madras

Dated : 08.10.2018

Coram :

The Honourable Mr.Justice T.S.SIVAGNANAM

and

The Honourable Mrs.Justice V.BHAVANI SUBBAROYAN

Tax Case Appeal No.14 of 2015

Commissioner of Income Tax,
Trichy ...Appellant/Appellant

Vs

(Late) M.Sethuraman Chettiar
by LH S.V.Umayal ...Respondent/Respondent

APPEAL under Section 260A of the Income Tax Act, 1961 against the order dated 10.4.2014 in ITA No.227/Mds/2013 on the file of the Income Tax Appellate Tribunal Chennai 'A' Bench for the assessment year 2008-09.

Against the order dated 08.11.2012 made in ITA No.460/10-11 by the Commissioner of Income Tax (Appeals) Thiruchirapalli assessment year 2008-09 against the order dated 29.12.2010 passed by the Income Tax Officer, Ward I(2), Pudukottai assessment year 2008-09.

For Appellant : Mr.M.Swaminathan

For Respondent : No appearance

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 In the light of the above, the appeal is dismissed as withdrawn and the substantial questions of law framed are left open.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.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

To

1. The Income Tax Appellate Tribunal, Chennai 'A' Bench.

2. The Commissioner of Income Tax (Appeals),
   Thiruchirappalli.

3. The Income Tax Officer,
   Ward-I(2), Pudukottai.

+1 cc to Mr.M.Swaminathan, Advocate Sr.No.69045

TCA.No.14 of 2015

CSL/29.11.2018