In the High Court of Judicature at Madras

Dated : 26.10.2018

Coram :

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM
AND
THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

Tax Case Appeal No.150 of 2013

The Commissioner of Income Tax, Chennai ...Appellant

Vs

M/s.St.Thomas Educational Trust, Chennai ...Respondent

APPEAL under Section 260A of the Income Tax Act, 1961 against the order dated 23.3.2012 in ITA No.175/Mds/2009 on the file of the Income Tax Appellate Tribunal Chennai 'C' Bench for the assessment year 2005-06 against the order dated 29.10.2008 made in I.T.A. No. 531/07-08 of the Commissioner of Income Tax (appeals)XII, Chennai against the Assessment order dated 30.01.2008 made in PAN/GIR No. 3601-T of Income Tax Officer(OSD) (Exemptions)III, Chennai for the assessment year 2005-2006.

For Appellant : Mr.Karthik Ranganathan

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 In the light of the above, the appeal is dismissed as withdrawn and the substantial question of law framed is left open.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

s/d-
Assistant Registrar(CS V)

True Copy

Sub-Assistant Registrar

To
The Income Tax Appellate Tribunal, Chennai 'C' Bench

TCA.No.150 of 2013

SS(CO)
SP(19/11/2018)