In the High Court of Judicature at Madras

Dated : 12.10.2018

Coram :

The Honourable Mr.Justice T.S.SIVAGNANAM

and

The Honourable Mrs.Justice V.BHAVANI SUBBAROYAN

Tax Case Appeal No.543 of 2013

The Commissioner of Income Tax, Chennai. ...Appellant

Vs

Shri P.R.Manickam ...Respondent

Prayer:

APPEAL under Section 260A of the Income Tax Act, 1961 against the order dated 01.3.2012 in IT(SS)A No.4/Mds/2009 on the file of the Income Tax Appellate Tribunal Chennai 'C' Bench for the block period 01.4.1985 to 31.3.1995 and 01.4.1995 to 29.9.1995, against the order of the Deputy Commissioner of Income Tax, Central Circle II(1), Chennai-34, dated 31.12.2008 made in assessment year 1986-87 to 1996-97.

For Appellant : Mr.M.Swaminathan

For Respondent: Mr.Ashok Pathy for M/s.Pass Associates

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 In the light of the above, the appeal is dismissed as withdrawn and the substantial questions of law framed are left open.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

//True Copy//

Sub Assistant Registrar

To

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

2.The Deputy Commissioner of Income Tax,
Central Circle II(1), Chennai-34.

3.The Section Officer,
VR Section,
High Court, Madras.

+1cc to Mr.M.Swaminathan, Advocate sr.no.70929

TCA.No.543 of 2013

mr(co)
nr 09/11/2018