

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.11.2018

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.39731 of 2016

SRK Industries Ltd
represented by its Rakeshchand M.Jain
Managing Director
310, V Star Plaza
Chandavarkar Road
Mumbai, Maharashtra 400 092 ... Petitioner

-vs-

1. Deputy Commissioner of Income Tax
Corporate Circle 1
63, Race Course Road
Coimbatore
2. Principal Commissioner of Income Tax
Corporate Circle 1
63, Race Course Road
Coimbatore
3. Assistant Commissioner of Income Tax
Central Circle-3, Room No.332
3rd Floor, Ara Centre
Jhandewalan Ext
New Delhi ... Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Certiorarified Mandamus, calling for the records of the first respondent in show cause notice dated 26.09.2016 received by the petitioner on 30.09.2016 and all proceedings pursuant and consequent thereto including the transfer order, which has not been served on the petitioner till date and the notices bearing ref Nos.F.No.ACIT/CC-3/RKK/2016-17/2901, F.No.ACIT/CC-3/RKK/2016-17/2902, F.No.ACIT/CC-3/RKK/2016-17/2903, F.No.ACIT/CC-3/RKK/2016-17/2897, F.No.ACIT/CC-3/RKK/2016-17/2898, F.No.ACIT/CC-3/RKK/2016-17/2299, F.No.ACIT/CC-3/RKK/2016-17/2900 all dated 31.10.2016 issued by the third respondent and quash the same as illegal, arbitrary and ultra vires the Income Tax Act 1961 and consequently direct the first respondent to transfer the case of the petitioner company from Coimbatore to

Mumbai in terms of the letter dated 29.08.2016.

For Petitioner :: Mr.Rahul Balaji

For Respondents :: Mr.A.N.R.Jayaprathap
Standing Counsel

ORDER

The writ petition has been listed under the caption "for withdrawal" based on the letter dated 19.11.2018 given by the learned counsel for the petitioner before the Registry. Learned counsel for the petitioner sought permission to withdraw the writ petition. Accordingly, the writ petition is dismissed as withdrawn. Consequently, W.M.P.Nos.33988 and 33989 of 2016 are also dismissed. No costs.

Sd/-
Assistant Registrar(CS-IV)

//True copy//

Sub Assistant Registrar

+1cc to Mr.R.Parthasarathy, Advocate SR.No.79095

ss

To

1. The Deputy Commissioner of Income Tax
Corporate Circle 1
63, Race Course Road
Coimbatore
2. The Principal Commissioner of Income Tax
Corporate Circle 1
63, Race Course Road
Coimbatore
3. The Assistant Commissioner of Income Tax
Central Circle-3, Room No.332
3rd Floor, Ara Centre
Jhandewalan Extn, New Delhi

W.P.No.39731 of 2016

EV (CO)

GMV (04/12/2018)