

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.480 of 2016

The Commissioner of Income Tax,  
Company Circle I(4), Chennai ...Appellant/Respondent

Vs

M/s.TTK Healthcare Ltd., Chennai-86. ...Respondent/Appellant

APPEAL under Section 260A of the Income Tax Act, 1961 against the order dated 05.1.2016 in ITA No.1589/Mds/2014 on the file of the Income Tax Appellate Tribunal Chennai 'A' Bench for the assessment year 2006-07 against the order of Commissioner of Income Tax, Chennai in AABCT33123/2006-2007 dated 31.12.2008 and against the order of Deputy Commissioner of Income Tax, Chennai dated 05.01.2016 in I.T.A. No. 1589/MDS/2014/2006-2007.

For Appellant : Mr.M.Swaminathan & Ms.V.Pushpa

For Respondent : Mr.R.Venkata Narayanan for  
M/s.Subbaraya Aiyer Padmanabhan

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 In the light of the above, the appeal is dismissed as withdrawn and the substantial questions of law framed are left open.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

-s/d-

Assistant Registrar (CS-IV)

True Copy

Sub-Assistant Registrar

To

1. The Income Tax Appellate Tribunal, Chennai 'A' Bench.
  2. The Deputy Commissioner of Income Tax  
Company Circle I(4) Chennai.
  3. The Commissioner of Income Tax  
Company Circle (4) Chennai
  4. The Commissioner of Income Tax (Appeals) III  
Chennai 34.
- +1 CC to Mr.M.Swaminathan, Advocate sr 74220.

TCA.No.480 of 2016

SJ(CO)  
SP(22/11/2018)

सत्यमेव जयते

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