

In the High Court of Judicature at Madras

Dated : 23.10.2018

Coram :

The Honourable Mr.Justice T.S.SIVAGNANAM

and

The Honourable Mrs.Justice V.BHAVANI SUBBAROYAN

Tax Case Appeal No.242 of 2017

The Principal Commissioner of
Income Tax, Central-I, Chennai-34 ...Appellant

Vs

M/s.The Narasimha Mills Pvt. Ltd.,
Coimbatore ...Respondent

APPEAL under Section 260A of the Income Tax Act, 1961 against the order dated 15.9.2016 in ITA No.1134/Mds/2016 on the file of the Income Tax Appellate Tribunal Chennai 'B' Bench for the assessment year 2008-09.as against order dated 28/03/2016 made in C.No. 1523/C-1/15-16 on the file of the Principal Commissioner Income Tax Central - I, 46, Mahatma Gandhi Road, Chennai - 600 034 against the Order dated 26/03/2013 made in PAN No. AABCT2058D for the Assessment Year 2008-09 on the file of Deputy Commissioner of Income Tax, Company Circle - IV, (2), Coimbatore.

For Appellant : Mr.T.R.Senthilkumar & Ms.K.G.Usharani

For Respondent : Mr.R.Sivaraman

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 In the light of the above, the appeal is dismissed as withdrawn and the substantial questions of law raised are left open.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

//True Copy//

Sub Assistant Registrar

To

1. The Income Tax Appellate Tribunal,
Chennai 'B' Bench.
2. The Principal Commissioner of Income Tax,
Central -I, 46, Mahatma Gandhi Road,
Chennai 600 034.
3. The Deputy Commissioner of Income Tax,
Company circle - IV (2), Coimbatore.

+1cc to Mr. T.R. Senthil Kumar, Advocate, S.R.No. 72320
+1cc to Mr. R. Sivaraman, Advocate, S.R.No. 73186

TCA.No.242 of 2017

SPD (CO)
GN (16/11/2018)

सत्यमेव जयते

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