

In the High Court of Judicature at Madras

Dated : 10.10.2018

Coram :

The Honourable Mr.Justice T.S.SIVAGNANAM

and

The Honourable Mrs.Justice V.BHAVANI SUBBAROYAN

Tax Case Appeal No.349 of 2017

The Commissioner of Income
Tax, Corporate Circle-3, Chennai ..Appellant/Respondent

Vs

M/s.Thiru Arooran Sugar Limited,
Chennai-34. ..Respondent/Appellant

APPEAL under Section 260A of the Income Tax Act, 1961 against the order dated 22.12.2016 in ITA No.1655/Mds/2014 on the file of the Income Tax Appellate Tribunal Chennai 'C' Bench for the assessment year 2009-10 and against the order of the Commissioner of Income Tax Appeals-III, Chennai-34, order dated 7.2.2014 made in ITA.NO.1654/14 and against the order of the Assistant Commissioner of Income Tax Company Circle -III, (2), Chennai-34 order dated 31.12.2011 made GIR-PAN.NO.AAACT2382B Assessment year 2009-10.

For Appellant : Mr.M.Swaminathan
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 In the light of the above, the appeal is dismissed as withdrawn and the substantial questions of law framed are left open.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.

Sd/-
Assistant Registrar(CS-V)

//True Copy//

Sub Assistant Registrar

To

1. The Income Tax Appellate Tribunal,
Chennai 'C' Bench.
 2. The Commissioner of Income Tax Appeals-III,
Chennai 34.
 3. The Assistant Commissioner of Income
Tax Company Circle-III, (2), Chennai-34.
- + 1 cc to MR. M. Swaminathan, Advocate Sr.69885

TCA.No.349 of 2017

NRJK(CO)
EU(27/11/2018)

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