

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.514 of 2017

The Commissioner of Income Tax,
Salem

...Appellant

Vs

M/s.S-681 Chinna Thirupathy Primary
Agricultural Cooperative Credit Society
Ltd., Salem-8

...Respondent

APPEAL under Section 260A of the Income Tax Act, 1961 against the order dated 16.3.2016 in ITA No.2341/Mds/2015 on the file of the Income Tax Appellate Tribunal Chennai 'C' Bench for the assessment year 2012-13 against the order ITA.No.319/2014-15, dt:27/10/2015 of the Commissioner of Income Tax (Appeals), Income Tax Department, Salem, Which was Preferred against the Assessment order dt:27/02/2015 for the Assessment year 2012-13 passed by the Income Tax officer ward 1 (4), Salem.

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

For Respondent : Mr.A.S.Sriraman

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.

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 In the light of the above, the appeal is dismissed as withdrawn and the substantial questions of law raised are left open.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

//True Copy//

Sub Assistant Registrar

To

- 1.The Income Tax Appellate Tribunal,
Chennai 'C' Bench.
- 2.The commissioner of Income Tax, Salem.
- 3.The Commissioner of Income Tax, (Appeals)
Income Tax Department Salem.
- 4.The Income Tax Officer,
ward 1(4), Salem.

+1cc to Mr.T.R.Senthilkumar, Advocate, S.R.No.72317

+1cc to Mr.S.Sridhar, Advocate, S.R.No.72182

+1cc to Mr.T.Ravi Kumar, Advocate, S.R.No.72330

TCA.No.514 of 2017

NRI (CO)
GSP (27/11/2018)

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