

In the High Court of Judicature at Madras

Dated : 22.10.2018

Coram :

The Honourable Mr.Justice T.S.SIVAGNANAM

and

The Honourable Mrs.Justice V.BHAVANI SUBBAROYAN

Tax Case Appeal No.813 of 2017

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

Vs

M/s.Tamilnadu Medical Plant & Herbal
Medicine Corporation Ltd., Chennai-106 ...Respondent

Appeal under Section 260A of the Income Tax Act 1961 against the order dated 31.5.17 in ITA 351/mds/ 2017 on the file of Income Tax Appellate Tribunal Chennai 'D' Bench for the Assessment Year 2012-13 against the order of the Commissioner of Income Tax (Appeals)-13 Chennai dated 29/11/16 pertains to assessment year 2012-13 in PAN AAAC2311G.

For Appellant : Mr.M.Swaminathan

For Respondent : Mr.G.Baskar

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 In the light of the above, the appeal is dismissed as withdrawn and the substantial questions of law framed are left open.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

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

To

- 1.The Income Tax Appellate Tribunal, Chennai 'D' Bench.
- 2.The Commissioner of Income Tax (Appeals)-13
121 Mahathma Gandhi Road, Chennai-34.
- 3.The Office of Assistant Commissioner of Income Tax (OSD)
Corporate Circle-3,
4th Floor Wamaparthi Block,
121, M.G.Road,
Nungambakkam, Chennai-34.

+1cc to Mr.M.Swaminathan, Advocate sr.71667

+1cc to Mr.G.Baskar, Advocate sr.72188

TCA.No.813 of 2017

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srg 14/12/2018

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