

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.10.2019

CORAM

THE HONOURABLE DR. JUSTICE ANITA SUMANTH
W.P.No.26743 of 2011
MP.Nos.2 and 3 of 2011

M/s PPN Power Generating Company Pvt Ltd
III Floor, Jhaver Plaza
1A Nungambakkam High Road
Chennai 600034

...Petitioner

--Vs--

1.The Commissioner of Income tax
Aayakar Bhavan
121 , Uthamar Gandhi Salai
Chennai 600034
2.The Asst. Commissioner of Income Tax
Company Circle V(II)
121, Uthamar Gandhi Salai
Chennai 600034
Respondents

...

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ or order of direction or any other Writ in the nature Writ of Certiorari, calling for the records comprised in the impugned notice of the 2nd respondent dated 18.05.2010 read with the recording of reasons dated 1.6.2010 in respect of Assessment Year 2005-06 issued by the second respondent purportedly under section 148 of the Income Tax Act, 1961 and all consequential proceedings thereto including the order of the 2nd respondent dated 31.10.2011 to the petitioner's objections and quash the same.

For Petitioner : Mrs.Janani Shankar for
Mr.R.Parthasarthy
For Respondents : Mr.A.P.Srinivas
Senior Standing Counsel

O R D E R

Ms.Janani Shankar, learned counsel representing Mr.R.Parthasarthy, learned counsel on record for the petitioner states that the present writ petition,

challenging proceedings for re-assessment has been rendered infructuous, since, vide an order dated 24.04.2018, the Commissioner of Income Tax (Appeals) has accepted the stand of the petitioner in appeal. The appeal of the Revenue has thereafter been dismissed by order of the Income Tax Appellate Tribunal dated 29.11.2018. Both orders are placed on file. Recording this factual position, this writ petition is closed. Consequently, connected miscellaneous petitions are closed. No costs.

Sd/-
Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

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To

1.The Commissioner of Income tax
Aayakar Bhavan
121 , Uthamar Gandhi Salai
Chennai 600034

2.The Asst. Commissioner of Income Tax
Company Circle V(II)
121, Uthamar Gandhi Salai
Chennai 600034

+1cc to Mr.A.P.Srinivas , Advocate SR.No. 87154

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A.SK(21/11/2019)

सत्यमेव जयते

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