

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.09.2019

CORAM

THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P.No.35255 of 2012

R.Shanmugam

...Petitioner

--Vs--

1.The Income Tax Officer
Ward-I(5)
Tirupur

2.The Commissioner of Income Tax
(Appeals), II
Coimbatore

...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 Certiorarified Mandamus, calling for the records on the files of the second respondent in I.T.Appeal No.191/2010-11 dated 29.09.2012 and quash the same as being an order passed without taking into consideration of the ground of appeal submitted by the petitioner and further direct the 2nd respondent to pass order afresh in accordance with law after grant of enquiry and opportunity.

For Petitioner : Mr.R.Senniappan

For Respondents : Mr.A.P.Srinivas

Senior Standing Counsel

WEB COPY
O R D E R

Dismissed as withdrawn, in the light of the endorsement made by learned counsel for the petitioner. Liberty is granted to the petitioner to file an appeal before the appellate authority, if he so desires. Learned counsel for the revenue has no objection to such appeal, if filed within a period of three weeks from date of receipt of a

copy of this order, being received and entertained by the appellate authority without reference to limitation. No costs.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

ska
To

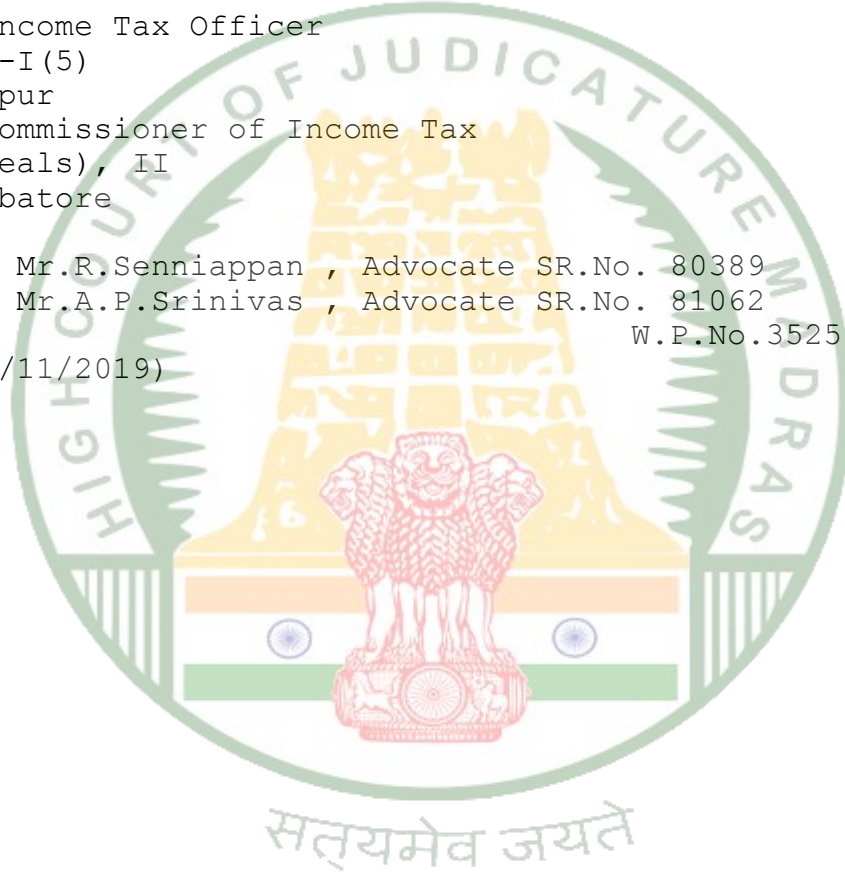
- 1.The Income Tax Officer
Ward-I(5)
Tirupur
- 2.The Commissioner of Income Tax
(Appeals), II
Coimbatore

+1cc to Mr.R.Senniappan , Advocate SR.No. 80389

+1cc to Mr.A.P.Srinivas , Advocate SR.No. 81062

W.P.No.35255 of 2012

A.SK(06/11/2019)



WEB COPY