

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.02.2020

CORAM

THE HONOURABLE Dr. JUSTICE ANITA SUMANTH

W.P.No.4268 of 2020
and
WMP.Nos.5052 & 5055 of 2020

Anjuga Selvi Alagiri

.. Petitioner

Vs.

1.The Deputy Director of Income Tax (Inv),
Unit - 1 (1),
Income Tax Office,
Mahathma Gandhi Salai,
Nungambakkam,
Chennai - 600 034.

2.The Chief Commissioner of Income Tax- 5,
ITO Non-Corp Ward 3(1),
Mahathma Gandhi Salai,
Nungambakkam,
Chennai - 600 034.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorarified Mandamus, to call for the entire records pertaining to the impugned order issued by the R2 dated 05.10.2019 (for the assessment year 2012-13) Order No.ITBA/AST/F/17/2019-20/1018616980(1) in issuing how final show cause notice issued by the R2 No.ITBA/AST/F/147(SCN)/2019-20/1018432059(1) for A.Y (2012-13) the Income Tax Appeals, Chennai) dated 28.09.2019 in the proceedings of the assessing officer and quash the same and consequently direct the respondents to consider and pass orders on the application dated 24.04.2019 by compounding the offence filed under Section 276CC of the Income Tax Act.

For Petitioner : Ms.P.Bagyalakshmi

For Respondents : Mr.A.P.Srinivas
Senior Standing Counsel

ORDER

Mr.A.P.Srinivas, learned Senior Standing Counsel has accepted notice on behalf of the respondents.

2.Learned counsel for the petitioner seeks permission of this Court to withdraw the Writ Petition and has also made an endorsement in this regard. Accordingly, the Writ Petition is

dismissed as withdrawn. Learned counsel also seeks liberty to pursue the appeal filed challenging the impugned order of assessment before the Commissioner of Income Tax (Appeals) as well as approach the appellate authority for interim protection pending appeal. Such liberty, as sought for, is granted to be exercised in accordance with law. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

vs

To

- 1.The Deputy Director of Income Tax (Inv),
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Income Tax Office,
Mahathma Gandhi Salai,
Nungambakkam,
Chennai - 600 034.
- 2.The Chief Commissioner of Income Tax- 5,
ITO Non-Corp Ward 3(1),
Mahathma Gandhi Salai,
Nungambakkam,
Chennai - 600 034.

+1cc to Mr.P.B.Baggyalakshmi, Advocate, S.R.No. 16563

+1cc to Mr.A.P.Srinivas, Senior Standing Counsel, S.R.No. 16315

LN(CO)
GN(18/03/2020)

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