

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.07.2020

CORAM

THE HON'BLE MR.JUSTICE M.M.SUNDRESH
and
THE HON'BLE MRS.JUSTICE R.HEMALATHA

W.A.No. 598 of 2018
and C.M.P.No.5817 of 2018

The Income Tax Officer,
Corporate Ward 5(4),
Floor No.403, Aayakar Bhavan,
Main Building, No.121, M.G. Road,
Nungambakkam, Chennai - 34.

..Appellant/Respondent

Vs

M/s.Rapid Care Transcription P. Ltd.,
Old No.21, New No.41, VLV Complex,
Mount Road, Little Mount,
Saidapet, Chennai - 15.

..Respondent/Petitioner

Appeal filed under Clause 15 of Letters Patent against the order dated 22.12.2017 in W.P.No.33765 of 2017.

Writ Petition, filed under Article 226 of the Constitution of India, for issuance of Writ of Mandamus, forbearing the respondent from proceeding further for the recovery of the balance amount pursuant to the order, dated 27.10.2017 (served on the petitioner on 11.12.2017) of the Commissioner of Income Tax (Appeals)-3, Chennai, confirming the order, dated 23.09.2016 passed by the respondent against the petitioner relating to the Assessment Year 2009-2010, which action, was initiated during the period and before the expiry of the period of limitation for filing appeal before the Tribunal prescribed under the Income Tax Act.

For Petitioner	..	Ms.Hema Muralikrishnan
For Respondents	..	Mr.M.D.Mudimannan

JUDGMENT

(Judgment of the Court was delivered by M.M.SUNDRESH, J.)

This writ appeal is filed against the order dated 22.12.2017 in W.P.No.33765 of 2017, whereby the respondent/writ petitioner was given four weeks time from the date of receipt of a copy of the order to file an appeal before the ITAT.

2.When the matter is taken up for hearing, learned counsel appearing for the parties submitted that the appeal before the Tribunal itself has been disposed of.

3.In view of the aforesaid factual statement, nothing survives for consideration in this writ appeal and the same stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

mmi/ssm

To

1.The Income Tax Officer,
Corporate Ward 5(4),
Room No.403, Aayakar Bhavan,
Main Building, No.121, M.G.Road,
Nungambakkam, Chennai 600034.

सत्यमेव जयते

W.A.No.598 of 2018

SR(CO)
KKV/03/09/2020

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