

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.02.2021

CORAM

THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P. No.2013 of 2020 &
WMP.Nos.2348 & 2350 of 2020

M/s.David Nagar Trust
Rep. by its Secretary,
Mr.Stanley Jesudasan
No.3/238, David Nagar,
Gnanmmal Road,
Padappai - 601 301

...Petitioner

Vs

The Income Tax Officer,
Ward - 1,
No.96, M.M.Avenue,
Kanchipuram - 631 501.

...Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to Writ of Certiorari to call for the records of the respondent in PAN No.AACTD1552A dated 18.12.2019 and quash the re-assessment order dated 18.12.2019 for AY 2015-16 passed therein.

For Petitioner : Ms.G.Vardhini Karthik
For Respondent : Mrs.Hema Muralikrishnan,
Senior Standing Counsel

सत्यमेव जयते
O R D E R

Learned counsel for the petitioner has filed a memo under cover of e-mail dated 04.02.2021 on behalf of the petitioner seeking leave of this Court to withdraw the writ petition with liberty to file a statutory appeal in terms of the provisions of the Income Tax Act, 1961 (in short 'Act').

2. Recording the same, this writ petition is dismissed as withdrawn. Consequently, connected miscellaneous petitions are closed. No costs.

3. Liberty is granted to the petitioner to file a statutory appeal before the first appellate authority within a period of 30 days from today. Such appeal, if filed within the aforesaid period, shall be taken on file by the Registry of the Commissioner of Income Tax (Appeals) without reference to limitation, seeing as the petitioner has enjoyed an order of interim stay pending Writ Petition. All contentions are left open to be agitated before the first appellate authority, including the question of assumption of jurisdiction under Section 147 of the Act.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

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To

The Income Tax Officer,
Ward - 1,
No.96, M.M.Avenue,
Kanchipuram - 631 501.

+1cc to M/s.Hema Muralikrishnan, Advocate, S.R.No.6027

+1cc to Mr.Praveen Alexander, Advocate, S.R.No.6258

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GSM(CO)
KKV/24/02/2021

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