

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 18.022021

CORAM:

THE HON'BLE MR. JUSTICE M.DURAI SWAMY
AND
THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

T.C.A.Nos608 & 598 of 2010

V.M.S. Haji Mohammed Appellant in TCA No.608/2010
V.M.S. Jafferullah ... Appellant in TCA No.598/2010

Vs.

The Commissioner of Income Tax.
Chennai IX,
Chennai. Respondent in both TCA

TCA No.608/2010:-Appeal preferred under Section 260A of the Income Tax Act, 1961, against the order of the Income Tax Appellate Tribunal, Chennai, 'C' Bench, dated 30.05.2008 in ITA.Nos.219/Mds/2006 for the Assessment Years 2001-02, against the order of the Commissioner of Income Tax(Appeals) X, made in ITA.No.65/2004-05, order dated 20-10-2005 and against the order of the Income Tax Officer, Ward X(2), Chennai made in PAN/GIR No.4722-H, order dated 29-03-2004 for the assessment year 2001-02.

TCA No.598/2010:-Appeal preferred under Section 260A of the Income Tax Act, 1961, against the order of the Income Tax Appellate Tribunal, Chennai, 'C' Bench, dated 30.05.2008 in ITA.Nos.459/Mds/2006 for the Assessment Years 2001-02, against the order of the Commissioner of Income Tax(Appeals)X, made in ITA.No.64/2004-05, order dated 01-12-2005 and against the order of the Income Tax Officer, ward X(2), Chennai-6 made in PAN/GIR No.AAFPJ3869B, order dated 24-03-2004 for the assessment year 2001-02.

For Appellant : No Appearance
(in both TCA)

For Respondent : Mr. T. Ravikumar
(in both TCA) Senior Standing Counsel

COMMON JUDGMENT

(Judgment was delivered by M. DURAI SWAMY, J.)

When the Tax Case Appeals were listed for hearing on 03.02.2021, Mr. R.Kumar, learned counsel for the appellants

submitted that in spite of writing registered letters to the appellants, the appellants did not give any instructions. In these circumstances, the learned counsel reported no instructions. Recording the submissions made by the learned counsel for or the appellants, the matters were adjourned to 16.02.2021 with a direction to the Registry to print the name of the appellants in the cause list. Accordingly the matters were listed on 16.02.2021. However, none appeared for the appellants. Hence, the Registry was directed to list the matter on 18.02.2021 under the caption for dismissal. Though the matters have been listed under the caption for dismissal, today also, none appeared for the appellants. Hence, this court left with no other option except to dismiss the Tax Case Appeals for non prosecution. Accordingly, the Tax Case Appeals are dismissed for non prosecution No costs.

Sd/-
Assistant Registrar (CS-VIII)

//True Copy//

Sub Assistant Registrar

Rj

To

1.The Commissioner of Income Tax.
Chennai IX,
Chennai.

2.The Income Tax Appellate Tribunal,
Chennai, 'C' Bench

3.The Commissioner of Income Tax,
(Appeals)-X, Chennai.

4.The Income Tax Officer,
Ward X(2), Chennai-6.

+1cc to M/s.T.Ravikumar, Advocate SR.9675

T.C.A.Nos.608 & 598 of 2010

CP(CO)
CB(17/03/2021)