IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.02.2021

CORAM

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

T.C.A.Nos.688 to 692 of 2013

Commissioner of Income Tax,
Chennai. ... Appellant in all appeals

Vs.

Smt.Vijaya Inbasagaran
No.2, 10th Street,
T 62, Anna Nagar,
Chennai - 600 040. ... Respondent in all appeals

Tax Case Appeals in T.C.A.Nos.688 to 692 of 2013 preferred under Section 260A of the Income Tax Act, 1961, against the order of the Income Tax Appellate Tribunal, Madras, "A" Bench, dated 27.09.2012 in I.TA.Nos.816/Mds/2009, 817/Mds/2009, 818/Mds/2009, 955/Mds/2009 and C.O.No.206/Mds/2009 in I.T.A.No.955/Mds/2009, respectively for the Assessment Years 1993-94, 1994-95, 1995-96, 1993-94 and 1993-94 respectively, against the order of the Commissioner of Income Tax (Appeals) IV, Chennai dated 19/03/2009 in Appeal No.CIT(A)-IV/CHE/791/06-07, dated 23/03/2009 in Appeal No.CIT(A)-IV/CHE/792/06-07; dated 19/03/2009 in Appeal No.CIT/A-IV/CHE/788/06-07 against the assessment order of the Deputy Commissioner of Income Tax, Central Circle I(2)i/c, Chennai, dated 18/03/2002, 15/03/2001, 18/03/2002, 29/03/2006 and made in PAN/GIR No.10734 V.

For Appellant : Mr.M.Swaminathan
Senior Standing Counsel
in all appeals

For Respondent : Mr.M.Kaushik
for Mr.S.Sridhar
in all appeals

COMMON JUDGMENT

(Judgment was delivered by M.DURAISWAMY, J.)

We have heard Mr.M.Swaminathan, learned Senior Standing Counsel for the appellant/Revenue and Mr.M.Kaushik for Mr.S.Sridhar, learned counsel for the respondent/assessee.

2.The above appeals, filed by the Revenue under Section 260A of the Income Tax Act, 1961 (for short, the Act), are directed against the order dated 27.09.2012 made in I.TA.Nos.816/Mds/2009, 817/Mds/2009, 818/Mds/2009, 955/Mds/2009 and C.O.No.206/Mds/2009 in I.T.A.No.955/Mds/2009, on the file of the Income Tax Appellate Tribunal, Madras, "A" Bench (for brevity, the Tribunal) for the Assessment Years 1993-94, 1994-95, 1995-96, 1993-94 and 1993-94 respectively.

3.The above appeals were admitted on 17.04.2014 on the following substantial question of law:

> "Whether on the facts and in the circumstances of the case, the Tribunal was right in holding that reassessment proceedings were not validly initiated and thereby quashing the proceedings?"

4.The learned Senior Standing Counsel for the appellant submits that the above appeals are not pursued by the Revenue on account of the Low Tax Effect in terms of Circular No.17/2019 dated 08.08.2019 issued by the Central Board of Direct Taxes. By the said Circular, the monetary limit for filing or pursuing an appeal before the High Court has been increased to Rs.1 crore. It is further submitted that the tax effect in these cases is less than the threshold limit.

5.In the light of the said submissions, the above Tax Case Appeals are dismissed as withdrawn on account of the Low Tax Effect. The substantial question of law framed is left open. In the event the tax effect in these cases is above the threshold limit fixed in the said Circular, liberty is granted to the Revenue to make a mention to this Court to restore the above appeals to be heard and decided on merits. No costs.

Sd/-
Assistant Registrar(CS-III)

//True Copy//

Sub Assistant Registrar

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To

1.The Income Tax Appellate Tribunal,
Madras, "A" Bench.

2.The Commissioner of Income Tax (Appeals)-IV,
121, Mahatma Gandhi Salai,
Nungambakkam, Chennai-34.

3.The Deputy Commissioner of Income Tax,
Central Circle I(2), i/c,
Chennai-600 034.

GJ(CO)
CB(17/04/2021)