IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 04.07.2022

CORAM

THE HON'BLE Mr. JUSTICE R. MAHADEVAN

AND

THE HON'BLE Mr. JUSTICE MOHAMMED SHAFFIQ

Tax Case Appeal Nos.269 to 281 of 2013

T.C.A.No.269 of 2013

The Commissioner of Wealth Tax
Chennai .. Appellant

Vs.

M/s.Rayala Corporation Pvt. Ltd.
Rayala Techno Park
7th Floor, No.144/7, Old Mahabalipuram Road
Kottivakkam
Chennai 600 041
PAN : AABCR7230D .. Respondent

Tax Case Appeal filed under Section 27 of the Wealth Tax Act, 1957 against the order dated 08.05.2012 passed by the Income Tax Appellate Tribunal, Madras 'B' Bench, Chennai, in W.T.A.No.7/Mds/2012.

For Appellant : Mr.T.Ravi Kumar

COMMON JUDGMENT

(Judgment was delivered by R. MAHADEVAN, J.)

These tax case appeals have been filed by the appellant/Revenue, calling in question the correctness of the common order dated 08.05.2012 passed by the Income Tax Appellate Tribunal, 'B' Bench, Chennai, relating to the respective assessment years 1987-88 to 1992-93 and 1995-96 to 2001-02.

2. By order dated 21.03.2014, this Court admitted the aforesaid tax case appeals on the following substantial question of law :

> “Whether on facts and circumstances of the case, the Tribunal was right in holding that the penalty levied on the assessee under Section 18(1)(c) of the Wealth Tax Act, is to be deleted ?”

3. When the matters were taken up for consideration, the learned counsel for the appellant/Revenue brought to the notice of this court the Circular No.17/2019 dated 08.08.2019, issued by the Central Board Direct Taxes, wherein, it is stipulated that appeals shall not be filed/pursued by the Department before the High Court in cases where the tax effect does not exceed

Rs.1,00,00,000/- (Rupees One Crore). It is also submitted that the tax effect in these appeals is less than the threshold limit.

4. In the light of the aforesaid submissions made by the learned counsel for the appellant/Revenue, the present appeals, wherein, the tax effect is said to be less than the monetary limit imposed, are dismissed as withdrawn, keeping open the substantial questions of law for determination in appropriate cases. No costs.

[R.M.D,J.] [M.S.Q, J.]
04.07.2022

Internet : Yes
Index : Yes / No
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To
1.The Commissioner of Wealth Tax
Chennai

2. The Income Tax Appellate Tribunal
Madras 'B' Bench

R. MAHADEVAN, J.
AND
MOHAMMED SHAFFIQ, J.

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