IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :29.11.2022

CORAM :

THE HONOURABLE MR. JUSTICE S.VAIDYANATHAN

AND

THE HONOURABLE MR. JUSTICE C.SARAVANAN

Tax Case Appeal No.291 of 2022

Commissioner of Income Tax
Chennai. . .. Appellant

Versus

Shriram City Union Finance Ltd.
Mookambika Complex,
No.4, Lady Desika Road, Mylapore,
Chennai-600004.
PAN:AAACS 7703H .. Respondent

Tax Case Appeal filed under Section 260A of the Income Tax Act, 1961 against the order dated 08.09.2021 passed by the Income Tax Appellate Tribunal, Madras "B" Bench, in I.T.A.No.1298/Chny/2019.

For Appellant : Mr.J.Narayanaswamy

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J U D G M E N T

This Tax Case Appeal has been filed by the Appellant / Revenue, calling in question the correctness of the order dated 08.09.2021 passed by the Income Tax Appellate Tribunal, 'B' Bench, Chennai, in I.T.A.No.738/Mds/03, relating to the assessment year 2014-15.

2.By the impugned order, the Tribunal answered the issue against the Revenue, placing reliance on the decision of the Tribunal in M/s.Shriram Transport Finance Company Ltd. in ITA No.2572 & 2636/Chny/2017 dated 24.05.2018 and Assessee's own case for assessment year 2006-07 in ITA.No.726/Mad/2010. The relevant portion of the order reads as under:

> *"13. We have heard both the parties, perused material available on record and gone through orders of the authorities below. We find that the Tribunal has considered an identical issue in the case of M/s.Shriram Transport Finance Company Ltd. in ITA.No.2572 & 2636/Chny/2017 dated 24.05.2018 for assessment year 2014-15, where it was held that payment made by the assessee for right to use logo is revenue in nature, which is deductible while computing income from business or profession. Further, similar issue has been considered in assessee's own case for assessment year 2006-07 in ITA.No.726/Mad/2010. Therefore, consistent with the view taken by co-ordinate Bench, we are of the considered view that there is no error in the reasoning given by the learned CIT (A) to delete additions made towards royalty and hence, we are inclined to uphold findings of the learned CIT (A) and reject ground taken by the revenue."*

3. The learned counsel appearing for the Appellant fairly submitted that the Appeals against the order of the Income Tax Appellate Tribunal, were recently decided on 30.06.2022 in T.C.A.Nos.755 of 2009 etc. batch and hence in view of the same, the present Appeal may be closed.

4. Recording the submission of the learned counsel for the Appellant, this Tax Case Appeal stands closed. No costs.

[S.V.N, J.] **[C.S.N, J.]**
29.11.2022

Internet : Yes
Index : Yes / No
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S. VAIDYANATHAN, J.
AND
C.SARAVANAN, J.

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To

1. The Income Tax Appellate Tribunal,
   Chennai “B” Bench.

2. Commissioner of Income Tax
   Chennai.

TCA No. 291 of 2022

29.11.2022