



WEB COPY



W.P.No.28010 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 20.10.2022

CORAM

THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P.No.28010 of 2022
and WMP Nos.27305 and 27368 of 2022

S.Sudha

... Petitioner

Vs

The Income Tax Officer,
National Faceless Assessment Centre,
Income Tax Department,
Ministry of Finance,
Government of India, New Delhi.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari calling for the records on the file of the respondent and quash the assessment order in ITBA/AST/S/147/221-22/1041582738(1) dated 25.03.2022 under Section 147 r.w.s. 144 read with Section 144B and the consequential penalty order dated 30.9.2022 passed under Section 270A of the Income Tax Act, 1961, passed by the respondent for AY 2017-18 as illegal and not in accordance with law.

For Petitioner : Mr.V.Haribabu
For Respondent : Mrs.Hema Muralikrishnan
Senior Standing Counsel



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ORDER

After some hearing, learned counsel for the petitioner seeks permission to withdraw this Writ Petition with liberty to approach the appellate authority by way of statutory appeal challenging both the order of assessment dated 25.03.2022 and the consequential order of penalty under Section 270A of the Income Tax Act, 1961. He has also made an endorsement to that effect.

2. Mrs.HemaMuralikrishnan, learned Senior Standing Counsel, who accepts notice for the respondent expresses no objection for the liberty as sought. In light of the endorsement made, this Writ Petition is dismissed as withdrawn with liberty granted as sought for.

3. Appeals, if any, filed within a period of four (4) weeks from today, shall be taken on file by the appellate authority without reference to limitation, but ensuring compliance with other statutory conditions, if any, and disposed expeditiously and in accordance with law. No costs. Connected Miscellaneous Petitions are closed.

20.10.2022

Index : Yes / No
Speaking/non-speaking Order
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To
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The Income Tax Officer,
National Faceless Assessment Centre,
Income Tax Department, Ministry of Finance,
Government of India, New Delhi.



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Dr.ANITA SUMANTH,J.

SI

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