



W.P. (MD) No. 2365 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.02.2023

C O R A M

**THE HONOURABLE MR.JUSTICE P.D.AUDIKEAVALU**

W.P. (MD) No. 2365 of 2023

and

W.M.P.(MD)Nos. 2146 & 2147 of 2023

Sri. Rajan Enterprises,  
No. 224/1, Petrol/Diesel Bunk,  
Soorakundu Village,  
Melur,  
Madurai – 625 106.

... Petitioner

Vs.

The Assessing Officer,  
Income Tax Department,  
Corp Ward 3, Office of the Income Tax Officer,  
Madurai

... Respondent

**PRAYER:** Writ Petition filed under Article 226 of the constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records of the Respondent in passing the impugned Assessment Order dated 18.12.2019 in Order No. ITBA/AST/S/143(3)/2019-20/1022612446(1) for the A Y 2017-18 and quash the same and consequently remand back the same to the Assessing Authority.



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For Petitioner : Mr. N.Muralikumar  
Senior Counsel for  
M/s.Mcgan Law Firm

For Respondent : Mr. N.Dilipkumar  
Standing Counsel

## ORDER

Heard Mr. N.Muralikumar, Learned Senior Counsel appearing for the Petitioner and Mr. N.Dilipkumar, Learned Counsel for the Respondent and perused the materials placed on record, apart from the pleadings of the parties.

2. Learned Senior Counsel appearing for the Petitioner submits that since the Petitioner has already filed the statutory appeal challenging the same order under Section 246-A of the Income Tax Act, 1961, before the concerned authority, he seeks permission of the Court to withdraw the Writ Petition, reserving the right of the Petitioner to work out its remedies before the proper forum in the manner recognized by law. He has also made an endorsement to that effect in the court record.



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In fine, the Writ Petition is dismissed as withdrawn granting such liberty. Consequently, connected Miscellaneous Petitions are closed. No costs.

**06.02.2023**

Index : Yes/No  
Internet : Yes/No  
SJ

**Note : Issue copy of the order by` 27.02.2023.**



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**P.D.AUDIKESAVALU,J.**

SJ

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