IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.10.2024

CORAM :
THE HONOURABLE MR.JUSTICE R. SURESH KUMAR
AND
THE HONOURABLE MR.JUSTICE C. SARAVANAN

T.C.A.No.46 of 2023

Commissioner of Income Tax
Circle – 1, Namakkal
Salem. .. Appellant

Vs.

P.Madheswaran .. Respondent

Prayer: Appeal filed under Section 260-A of the Income Tax Act, 1961, against the order of Income Tax Appellate Tribunal "C" Bench, Chennai dated 26.08.2022 passed in I.T.A.No.3365/CHNY/2019.

For the Appellant : Mr.Karthik Ranganathan
Senior Standing Counsel

For the Respondent : Mr.G.Baskar

JUDGMENT

(Order of the Court was made by R.SURESH KUMAR, J.)

The present tax case appeal was admitted on 06.02.2023 by this Court on the following substantial question of law:-

> *"1. Whether on the facts and circumstances of the case, the Tribunal was right in allowing the carry forward of depreciation loss that has not been disclosed by the assessee in the Return of Income nor certified by the Chartered Accountant in Form 3CD?"*

2. It is submitted by the learned Senior Standing Counsel appearing for the appellant Revenue that this matter is covered under the Low Tax Effect as per the recent Circular dated 17.09.2024, in Circular No.9/2024.

3. Hence, this appeal stands dismissed, as covered under the low tax effect and the substantial question of law arising in this appeal is kept open to be decided at the later point of time. There shall be no order as to costs.

(R.S.K., J.)　　　　(C.S.N, J)
15.10.2024

Neutral Citation:Yes/No

drm

R. SURESH KUMAR, J.
AND
C. SARAVANAN, J.

(drm)

T.C.A.No.46 of 2023

15.10.2024