IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.11.2024

CORAM :

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

T.C.A.No.202 of 2024

Principal Commissioner of Income Tax - 1
Chennai. .. Appellant

Vs.

M/s.Casa Grande Homes Pvt. Ltd.
NPL Devi, New No.111
Old No.59, L.B. Road, Tiruvanmiyur
Chennai - 600 041.
PAN: AAGCC1182Q .. Respondent

Prayer: Appeal filed under Section 260-A of the Income Tax Act, 1961, against the order of Income Tax Appellate Tribunal Madras "A" Bench dated 06.07.2022 passed in I.T.A.No.3491/CHNY/2019.

For the Appellant : Mr.Karthik Ranganathan
Senior Standing Counsel

For the Respondent : Mr.A.S.Sriraman

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

The present tax case appeal was admitted on 27.09.2024 on the following substantial questions of law:-

> *"1. Is not the reasoning and finding of the Tribunal perverse by allowing other expenses claimed amounting to Rs.515,44,310/- holding that the indirect cost cannot be attributed to any specific project especially when Assessee had only one project during the relevant period?*
>
> *2. Is not the finding of the Tribunal perverse especially when ICDs-III with regard to construction contract is applicable only with effect from AY 2017-18 and not to be present AY which is 2016-17?"*

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 questions of law raised in this appeal are 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)
12.11.2024

Neutral Citation:Yes/No

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

(drm)

T.C.A.No.202 of 2024

12.11.2024