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.784 of 2018

Principal Commissioner of Income Tax 1
63, Race Course Road
Coimbatore. .. Appellant

Vs.

K.Shanthi .. Respondent

Prayer: Appeal filed under Section 260-A of the Income Tax Act, 1961, against the order of Income Tax Appellate Tribunal Madras "D" Bench dated 02.02.2018 passed in I.T.A.No.433/Mds/2017.

For the Appellant : Mr.Karthik Ranganathan
Senior Standing Counsel

JUDGMENT

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

The present tax case appeal was admitted on 18.12.2018 by this Court on the following substantial questions of law:-

> *"1. Whether the Appellate Tribunal was right in holding that the land sold by the assessee was an agricultural land ignoring the fact that the land sold was barren land and the Village Administrative Officer had certified that no agricultural activity was carried out from 2002-03 onwards?*

> *2. Whether the Appellate Tribunal was right in holding that the lands purchased by assessee were agricultural lands ignoring the fact that the lands purchased were barren lands and assessee had not carried out any agricultural activity subsequent to its purchase?"*

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 arising 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)
15.10.2024

Neutral Citation:Yes/No

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

(drm)

T.C.A.No.784 of 2018

15.10.2024