IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.12.2025

CORAM :

THE HONOURABLE DR.JUSTICE ANITA SUMANTH
and
THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

T.C.A.No.693 of 2013

Sri A.Kodanda Rami Reddy
No.22, Yogambal Street,
T.Nagar, Chennai – 600 017. .. Appellant

vs

The Income Tax Officer,
Media Ward 1,
Chennai – 600 034. .. Respondent

Prayer : Appeal filed under Section 260A of the Income-Tax Act, 1961 against the order dated 04.07.2013 in ITA No.1865/Mds/2012 of the Income Tax Appellate Tribunal, Chennai 'D' Bench.

For Appellant : Mr.C.J.Yeswanthram
for Mr.K.Vaitheeswaran

For Respondents : Dr.Sathiya Narayanan
Senior Standing Counsel

JUDGMENT
(Delivered by Dr. ANITA SUMANTH.,J)

Both learned counsel would accede to the position that the issue that arises for consideration is covered by a decision of this Court in *Tilokchand & Sons v Income-Tax Officer, Ward-II(4), Madurai*[1].

2. The substantial questions of law that have been admitted on 30.10.2013 are as follows:-

> *"1. Whether on the facts and circumstances of the case, the Tribunal was right in holding that the appellant is not entitled for the benefit under Section 54 of the Income Tax Act, 1961 in respect of investment made in two properties?*
> *2. Whether on the facts and circumstances of the case, the Tribunal having held that plurality is permissible for investment under Section 54 erred in denying the exemption on the ground that the properties are geographically disparate?*
> *3. Whether on the facts and circumstances of the case, the Tribunal was right in holding that the meaning assigned to the word 'a residential house' used in Section 54 must be construed in singularity if the houses are geographically separated and in plurality if the houses are in the same building?*
> *4.Whether on the facts and circumstances of the case, the Tribunal was right in not following the decision of this Hon'ble High Court in the case of P.K.Vasanthi Rangarajan v Commissioner of Income Tax (T.C. (Appeal) No. 1435 of 2005) and the decision of the Karnataka High Court in the case of CIT v D.Ananda Basappa (2009) 309 ITR 329?"*

3. In light of the decision of this Court in *Tilokchand (supra)* as well as the decisions of the Karnataka High Court in *Arun K.Thiagarajan v Commissioner of Income-Tax (Appeals)-II*[2] and the Bombay High Court

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1 413 ITR 189 (Mad)
2 427 ITR 190 (Karnataka)

in *Krishnagopal B.Nangpal v Deputy Commissioner of Income-Tax*[3], the issue is decided in favour of the assessee and adverse to the revenue.

4. This Tax Case (appeal) is allowed in terms of this order. No costs.

[A.S.M, J.] [M.S.K, J.]
04.12.2025

Index:Yes/No
Neutral Citation:Yes
ssm

To

The Income Tax Officer,
Media Ward 1,
Chennai – 600 034.

3(2025) 176 taxmann.com 752 (Bombay)

DR. ANITA SUMANTH,J.
and
MUMMINENI SUDHEER KUMAR,J.

ssm

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