

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).8892/2008

(From the judgement and order dated 28/03/2007 in TC No.244/2007 of The HIGH COURT OF MADRAS)

COMMR.OF INCOME TAX, MADURAI

Petitioner(s)

VERSUS

M/S RAJAPALAYAM MILLS LTD.

Respondent(s)

(With appln(s) for c/delay in filing SLP and office report)

Date: 06/09/2010 This Petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE K.S. RADHAKRISHNAN
HON'BLE MR. JUSTICE SWATANTER KUMAR

For Petitioner(s)

Mr. Mohan Parasaran,ASG.
Mr. Manoj Kaushik,Adv.
Mr. D.L. Chidananda,Adv.
Mr. N. Meyyappan,Adv.
Mr. B.V. Balaram Das,Adv.

For Respondent(s)

UPON hearing counsel the Court made the following
O R D E R

None appears for the respondent, though served.

Delay condoned.

Leave granted.

The civil appeal is disposed of with no order as to costs.

[T.I. Rajput]
A.R.-cum-P.S.

[N.B. Dhyani]
Court Master

[Signed order is placed on the file]
IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.7385 OF 2010
(Arising out of S.L.P. (C) No.8892 of 2008)

Commissioner of Income Tax, Madurai

...Appellant(s)

Versus

M/s. Rajapalayam Mills Ltd.

...Respondent(s)

None appears for the respondent, though served.
Leave granted.

This matter is squarely covered by the judgements of this Court in the cases of Commissioner of Income Tax vs. Saravana Spinning Mills Private Limited, reported in [2007] 293 I.T.R. 201 and Commissioner of Income Tax vs. Ramaraju Surgical Cotton Mills, reported in [2007] 294 I.T.R. 328.

Accordingly, the civil appeal filed by the Department is disposed of in terms of the judgements of this Court in Saravana Spinning Mills Private Limited [supra] and Ramaraju Surgical Cotton Mills [supra] with no order as to costs.

.....CJI.
[S.H. KAPADIA]

.....J.
[K.S. RADHAKRISHNAN]

.....J.
[SWATANTER KUMAR]

New Delhi,
September 06, 2010.