

आयकर अपीलीय अधिकरण, 'डी' न्यायपीठ, चेन्नई

IN THE INCOME TAX APPELLATE TRIBUNAL

'D' BENCH, CHENNAI

श्री एन.आर.एस. गणेशन, न्यायिक सदस्य एवं श्री एस जयरामन, लेखा सदस्य केसमक्ष

BEFORE SHRI N.R.S. GANESAN, JUDICIAL MEMBER AND
SHRI S. JAYARAMAN, ACCOUNTANT MEMBER

आयकर अपील सं./ITA No.1460/Mds/2017

निर्धारण वर्ष / Assessment Year : 2013-14

The Assistant Commissioner of
Income Tax,
Corporate Circle 2,
Madurai.

(अपीलार्थी/Appellant)

v. M/s Raja Ram Flour Mills Pvt. Ltd.,
4, Melakottai,
VNR Main Road, Tirumangalam.

PAN : AAACR 8701 Q

(प्रत्यर्थी/Respondent)

अपीलार्थी की ओर से/Appellant by : Smt. Ruby George, CIT

प्रत्यर्थी की ओर से/Respondent by : None

सुनवाई की तारीख/Date of Hearing : 28.12.2017

घोषणा की तारीख/Date of Pronouncement : 05.01.2018

आदेश /ORDER

PER N.R.S. GANESAN, JUDICIAL MEMBER:

This appeal of the Revenue is directed against the order of the Commissioner of Income Tax (Appeals)-1, Madurai, dated 07.03.2017 and pertains to assessment year 2013-14.

2. The only issue arises for consideration is with regard to disallowance made by the Assessing Officer under Section 14A of the Income-tax Act, 1961 (in short 'the Act').

3. No one appeared for the assessee inspite of service of notice of hearing. Therefore, we heard the Ld. Departmental Representative and proceeded to dispose the appeal on merit.

4. We heard Smt. Ruby George, the Ld. D.R. and perused the relevant material available on record. The CIT(Appeals) found that the assessee has received dividend income only to the extent of ₹13,050/- during the year under consideration, which was claimed as exempted from taxation. By placing reliance on the judgment of Madras High Court in Redington (India) Ltd. v. Addl. CIT (2017) 1 TM 1318, the CIT(Appeals) found that the disallowance under Section 14A of the Act could be restricted only to the extent of ₹13,050/- which was received as exempted income. Since the CIT(Appeals) has followed the judgment of Madras High Court in Redington (India) Ltd. (supra), this Tribunal does not find any reason to interfere with the order of the lower authority and accordingly the same is confirmed.

5. In the result, the appeal filed by the Revenue stands dismissed.

Order pronounced on 5th January, 2018 at Chennai.

sd/-

(एस जयरामन)

(S. Jayaraman)

लेखा सदस्य/Accountant Member

sd/-

(एन.आर.एस. गणेशन)

(N.R.S. Ganesan)

न्यायिक सदस्य/Judicial Member

चेन्नई/Chennai,

दिनांक/Dated, the 5th January, 2018.

Kri.

आदेश की प्रतिलिपि अग्रेषित/Copy to:

1. अपीलार्थी/Appellant
2. प्रत्यर्थी/Respondent
3. आयकर आयुक्त (अपील)/CIT(A)-1, Madurai
4. Principal CIT, Madurai-1, Madurai
5. विभागीय प्रतिनिधि/DR
6. गार्ड फाईल/GF.