



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-06-2026

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THE HON'BLE MR JUSTICE SENTHILKUMAR RAMAMOORTHY

**WP No. 23279 of 2026
and W.M.P.Nos.25251 & 25253 of 2026**

Karthigai Textiles
rep by its Prop. A.Maruthachalamurthy,
471/1, Eddu Thottam, Santhi Medu,
Press Colony Post, Coimbatore 641019

..Petitioner(s)

Vs

The Assistant Commissioner ST
Periyanaickenpalayam circle,
Commercial taxes Building,
Coimbatore 641 018

..Respondent(s)

PRAYER: Writ Petition filed under Article 226 of The Constitution of India
praying for the issuance of a Writ of Certiorari, calling for the records of the
Respondent in his proceedings in GSTIN- 33AWWPM5667PIZD / 2021 -22
dated 10.12.2025 and quash the same as illegal.

For Petitioner(s):

Mr.S.Ramanathan

For Respondent(s):

Mr.R.Sethu Prabakaran,
Government Counsel (Tax)



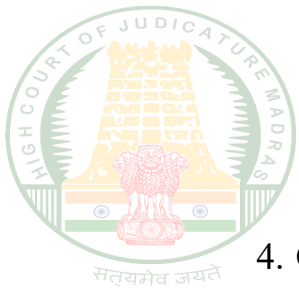
ORDER

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An order dated 10.12.2025 is challenged on the ground that the same issue was raised earlier and, on consideration of the petitioner's reply, the proceedings were dropped.

2. Adverting to order dated 29.12.2025, learned counsel for the petitioner submits that defect no.3 therein pertained to reversal of ITC on non business transactions and exempt supplies. He points out that the value of exempted outward supplies mentioned therein is Rs.98,65,700/-, which corresponds to the sole defect dealt with in the order impugned herein. Accepting the explanation of the petitioner that the exempted supply was reflected in the annual return in GSTR 9 for 2021-22, he points out that the tax officer dropped the proposal. Since the impugned order deals with the same issue, he submits that said order is liable to be set aside.

3. Mr.R.Sethu Prabakaran, learned Government Counsel (Tax), accepts notice for the respondent. He points out that defect no.3 in order dated 29.12.2025 related to reversal of ITC on non business transaction and exempt supplies, whereas the order impugned herein relates to the failure of the petitioner to establish that exempt supplies of the value of Rs.98,65,700/- were made.



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4. On perusal of the discussion of defect no.3 in order dated 29.12.2025, it appears that the State Tax Officer considered the petitioner's reply that the value of exempted supplies was recorded as Rs.98,65,700/- in the annual return for the year 2021-22. The State Tax Officer also noticed that the petitioner had disclosed such exempted supplies in the profit and loss account. After considering the reply and above mentioned documents, the State Tax Officer accepted that the petitioner had not claimed ineligible ITC. Having accepted that exempted supplies of the value of Rs.98,65,700/- had been made, the same issue could not have been resurrected under proceedings culminating in impugned order dated 10.12.2025.

5. For reasons aforesaid, the impugned order is set aside and this writ petition is disposed of. Consequently, connected writ miscellaneous petitions are closed. There shall be no order as to costs.

30-06-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
RNA

To

The Assistant Commissioner ST
Periyanaickenpalayam circle, Commercial taxes
Building, Coimbatore 641 018



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SENTHILKUMAR RAMAMOORTHY, J.

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