



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-07-2026

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THE HON'BLE MR JUSTICE SENTHILKUMAR RAMAMOORTHY

**WP No. 27269 of 2026
and WMP.Nos.29862 & 29864 of 2026**

Sigmavix Infra India Private Limited
Represented by its Director,
Mrs. Revathy Gajendran, W/o. Mr. Prabakaran
Munirajulu, aged 34 years, No. 225,
SIDCO Industrial Estate, Ambattur,
Chennai - 600098.

..Petitioner

Vs

The Deputy Commercial Tax Officer
Pattarawakkam Assessment Circle,
office of the Deputy State Tax officer,
Room no.427, 4th floor, Integrated commercial
taxes building, T.S.No.2, Government farm village,
Nandanam, Chennai - 600035.

..Respondent

Prayer : Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorari calling for the records in Reference No. ZD330225194258A dated 19.02.2025 u/s.73 of TNGST Act, 2017 along with a summary of the order in Reference No. ZD330225194258A dated 19.02.2025 on the file of the Respondent relating to F.Y.2020-21 and quash the same.

For Petitioner:

Mr. I.Dinesh

For Respondent:

Mr. R. Sethu Prabakaran
Government Counsel (Tax)



ORDER

Order dated 19.02.2025 imposing interest and penalty on the petitioner for wrongful availment of Input Tax Credit (ITC) is challenged in this writ petition.

2. Mr. R. Sethu Prabakaran, learned Government Counsel (Tax), accepts notice on behalf of the respondent.

3. Learned counsel for the petitioner submits that the impugned order was issued on account of an inadvertent error committed by the petitioner while claiming ITC in the months of October and November 2020. On account of such error, he submits that ITC in a sum of Rs.5,43,870/- was claimed both in October and November 2020. Immediately upon receipt of the show cause notice, he submits that such ITC was reversed. He also points out that sufficient credit was available in the petitioner's electronic credit ledger on the relevant date and that interest is not payable as per Rule 88B of applicable GST Rules. Without prejudice, he submits that the petitioner agrees to pay Rs.1,50,000/- towards interest and discharge the entire penalty liability as a condition for remand. An endorsement has been made on the bundle to that effect.

4. Subject to a sum of Rs.1,50,000/- being paid towards interest and the entire penalty liability being discharged within 30 days from the date of receipt



of a copy of this order, the impugned order is set aside partly only insofar as interest is concerned. As a consequence, the matter is remanded for re-consideration. After providing a reasonable opportunity to the petitioner, a fresh order shall be issued in respect of interest within three months from the date of remittance in the manner aforesaid.

5. The writ petition is disposed of on the above terms. Consequently, connected miscellaneous petitions are closed. There shall be no order as to costs.

24-07-2026

Index: Yes/No

Neutral Citation: Yes/No

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To

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office of the Deputy State Tax officer,
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SENTHILKUMAR RAMAMOORTHY, J.

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