



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14-08-2026

CORAM

THE HON'BLE MR JUSTICE SENTHILKUMAR RAMAMOORTHY

**WP No. 30726 of 2026
and WMP.Nos.33748 & 33749 of 2026**

M/s.New Power Electricals
Rep. by its Proprietor Balaguru M
No. 2E, VGN Nagar, Third Main Road,
Iyyappanthangal, Chennai 600 056.

..Petitioner

Vs

The Assistant Commissioner (State Tax)
Poonamallee Assessment Circle,
Integrated State GST Office building,
Nazarathpet, Chennai-600 006.

..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 on the file of the Respondent and to quash the impugned assessment order dated 29.06.2026 bearing no. 33AMOPB3368C2ZC / 2021-22 passed by the Respondent as arbitrary.

For Petitioner:

Mr. J Ashish

For Respondent:

Ms. Amirta Poonkodi Dinakaran
Additional Government Pleader (Tax)

ORDER

An order dated 29.06.2026 is assailed primarily on the ground that the petitioner's replies and the documents enclosed with such replies were not taken into consideration.



2. Learned counsel for the petitioner submits that multiple replies were submitted by the petitioner to the show cause notice. He also submits that all relevant documents, such as invoices, e-way bills, transport receipts, documents relating to bank transactions, etc. were filed. Adverting to the impugned order, learned counsel submits that these documents were brushed aside by stating that the supplier was non-existent. He also points out that contradictory conclusions were recorded in the order that the noticee did not submit reply or documents. He contends further that the ingredients of Section 74 are not satisfied.

3. Ms. Amirta Poonkodi Dinakaran, learned Additional Government Pleader (Tax), accepts notice on behalf of the respondent. She submits that an inspection was carried out at the principal place of business of Agarwal Enterprises, the supplier. It was found that the such supplier was not carrying on any business activities at the place of business and was issuing fake invoices.

4. The multiple replies filed by the petitioner are on record. The petitioner has enclosed a large number of documents, including tax invoices, e-way bills, lorry receipts and bank statements. Instead of examining these documents and recording findings in relation thereto, the proper officer has concluded that mere production of documents does not establish the genuineness of the transactions. Since there is a major flaw in the decision-making process, I conclude that interference is necessary. Therefore, the impugned order is set aside and the



matter is remanded for re-consideration. After providing a reasonable opportunity to the petitioner, including a personal hearing, a fresh order shall be issued within four months from the date of receipt of a copy of this order. All contentions are left open to the petitioner.

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.

14-08-2026

Index : Yes/No

Neutral Citation : Yes/No

KJ

To

The Assistant Commissioner (State Tax)
Poonamallee Assessment Circle,
Integrated State GST Office building,
Nazarathpet, Chennai-600 006.



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SENTHILKUMAR RAMAMOORTHY, J.

KJ

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