



W.P.No.31000 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 19.08.2025

CORAM

THE HON'BLE Mr. JUSTICE KRISHNAN RAMASAMY

W.P.No.31000 of 2025
& W.M.P.Nos.34732 & 34733 of 2025

Amrita Enterprises
Represented by its Proprietor
Ramnaresh Chandraprakash
No. 2, Ramanujar Street,
Sriperumbudur, Kancheepuram District,
Tamil Nadu 602105

... Petitioner

Vs.

1. The Assistant Commissioner,
Sriperumbudur Assessment Circle,
Commercial Taxes department,
Kancheepuram district, Tamil Nadu 602 105

2. The Joint Commissioner
Kancheepuram Division,
Commercial Taxes Department,
Tamil Nadu 602105

... Respondents

Prayer:

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, to call for the impugned proceedings of the 1st Respondent passed in Reference No. ZA330924299775S dated 26.09.2024 in Form GST REG-19 and the order of rejection of the



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application for condonation of delay of the second Respondent passed in Reference No. ZA330525120481Z dated 21.5.2025 and quash the same as the impugned proceedings of the respondents are in violation of principles of natural justice, cryptic, arbitrary and further direct the Respondent to restore and activate the registration of the petitioner granted under the Central Goods and Services Tax Act,2017 and the Tamil Nadu Goods and Services Tax Act,2017

For Petitioner : Mr.Benuel Ritesh Rajkumar

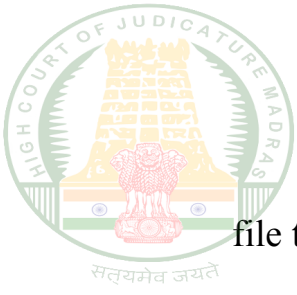
For Respondent : Mr.T.N.C.Kaushik, AGP

ORDER

This writ petition has been filed challenging impugned order dated 26.09.2024 passed by the respondent.

2. Mr.T.N.C.Kaushik, learned Additional Government Pleader, takes notice on behalf of the respondent. By consent of the parties, the main writ petition is taken up for disposal at the admission stage itself.

3. The learned counsel for the petitioner would submit that due to medical problems, the petitioner was hospitalised and he was unable to



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file the GST returns for a period of 6 months. Under these circumstances, the GST Registration of the petitioner was cancelled by the respondent vide order dated 26.09.2024.

4. Further, he would submit that the petitioner is willing to file his GST returns and pay the entire tax liabilities along with applicable interest and penalty, if any. Hence, he requests this Court to revoke the order passed by the respondent for cancellation of GST Registration of the petitioner.

5. In reply, the learned Additional Government Pleader appearing for the respondent confirms that the GST registration of the petitioner was cancelled by the respondent vide impugned order dated 26.09.2024 and requests this Court to pass an appropriate order.

6. Heard the learned counsel for the petitioner and the learned Additional Government Pleader for the respondent and also perused the materials available on record.



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7. In this case, the GST registration of the petitioner was cancelled by the respondent vide the impugned order dated 26.09.2024. According to the petitioner, due to medical related problems, he had failed to file his returns continuously for a period of 6 months. The reason provided for non-compliance with the relevant provisions of the Act within the prescribed time, in the considered opinion of this Court, appears to be genuine.

8. In view of the above, this Court is inclined to revoke the impugned order dated 26.09.2024 passed by the respondent canceling the GST registration of the petitioner. The cancellation of registration is hereby revoked, subject to the fulfillment of the following conditions:

(i) The respondent shall take suitable steps by instructing GST Network, New Delhi to make suitable changes in the architecture of the GST Web portal to allow the petitioner to file the returns and to pay the tax/penalty/fine, within a period of four weeks therefrom.



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(ii) The petitioner is directed to file returns for the period till date, if not filed, together with tax dues along with interest thereon and the fee fixed for belated filing of returns within a period of 4 weeks from the date of restoration of GST Registration of the petitioner.

(iii) It is made clear that such payment of tax, interest, fine/fee etc. shall not be allowed to be made or adjusted from and out of any Input Tax Credit (ITC) which may be lying unutilized or unclaimed in the hands of the petitioner.

(iv) If any ITC has remained unutilized, it shall not be utilised until it is scrutinized and approved by an appropriate or competent officer of the Department.

(v) Only such approved ITC shall be allowed to be utilized thereafter for discharging future tax liability under the Act and Rules.

(vi) If any ITC was earned, it shall be allowed to be utilised only after scrutinising and approving by the respondent or any other competent authority.



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(vii) If any of the aforesaid conditions is not complied with by the petitioner, the benefit granted under this order will automatically ceased to operate.

9. With the above directions, this writ petition is disposed of. No cost. Consequently, the connected miscellaneous petitions are also closed.

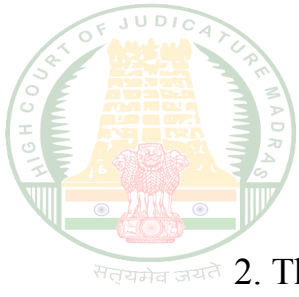
19.08.2025

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

To

1. The Assistant Commissioner,
Sriperumbudur Assessment Circle,
Commercial Taxes department,
Kancheepuram district, Tamil Nadu 602 105

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2. The Joint Commissioner
Kancheepuram Division,
Commercial Taxes Department,
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KRISHNAN RAMASAMY.J.,

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