IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 22.08.2025

CORAM
THE HON'BLE Mr. JUSTICE KRISHNAN RAMASAMY

W.P.No.31044 of 2025
& W.M.P.Nos.34791 & 34793 of 2025

M/s.MI Lifestyle Marketing Global Private Limited
Rep. by its Managing Director-Kolla Sathya Narayana
Corporate Office: 25, Third Floor,
Lanco House, G.N.
Chetty Road, T.Nagar,
Chennai - 600 017. ... Petitioner

Vs.

1.The Additional Director,
Directorate of GST Intelligence,
South Sub National Unit,
C-3, C Wing, IInd Floor,
Rajaji Bhavan,
Besan Nagar,
Chennai - 600 090.

2.Additional Commissioner of Central Taxes,
Thane Commissionerate,
Accel House, Road No.22,
MIDC, Wagle Industrial Estate,
Thane (West) 400 604. ... Respondents

Prayer:

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari calling for the records of the first respondent in issuing the impugned show cause notice bearing No.034/2025-26(GST) dated 29.06.2025 and quash the same as it is contravention of Section 74 of the GST Acts, and articles 19(1) (g) and 265 of the Constitution.

For Petitioner : Mr.G.Natarajan

For Respondent 1 : Mr.Rajnish Pathiyil,
Senior Panel Counsel

For Respondent 2 : Mrs.Revathi Manivannan,
Senior Standing Counsel

ORDER

This writ petition has been filed challenging the Impugned Show Cause Notice No.034/2025-26 (GST) dated 29.06.2025 issued by the first respondent.

2. Mr.Rajnish Pathiyil, learned Senior Panel Counsel and Mrs.Revathi Manivanna, learned Senior Standing Counsel, takes notice on behalf of the respondents 1 & 2, respectively. By consent of the parties, the main writ petition is taken up for disposal at the admission stage itself.

3. When this writ petition was taken up for hearing, the learned counsel for the petitioner and the learned Senior Panel Counsel appearing for the first respondent would submit that the issue involved in the present petition is with regard to the bunching of show cause notice, i.e., issuance of single show cause notice for more than one financial year.

4. Further, they would submit that the aforesaid issue has already been decided by this Court vide common order dated 21.07.2025 passed in W.P.Nos.29716 of 2024, etc., batch, wherein it has been held as follows:

> *"28. (i) The GST Act permits only for issuance of show cause notice based on the tax period. Therefore, if the annual return is filed, the entire year would be considered as a tax period and accordingly, the show cause notice shall be issued based on the said annual returns.*
>
> *(ii) If show cause notice is issued before the filing of annual returns, the same can be issued based on the filing of monthly returns;*
>
> *(iii) If show cause notice is issued after the filing of*

annual returns or after the commencement of limitation, the said notice shall be issued based on the annual returns with regard to the relevant financial year.

(iv) No show cause notice can be clubbed and issued for more than one financial year since the same is impermissible in law.

(v) In these cases, without any jurisdiction, the impugned show cause notices/orders came to be issued/passed for more than one financial year, which is impermissible in law and hence, the same is liable to be quashed. Accordingly, the impugned show cause notices/orders stand quashed based on the aspect of clubbing of show cause notices for more than one financial year."

5. Therefore, considering the submissions made by the learned counsel for the petitioner and by following the aforesaid order dated 21.07.2025 passed in W.P.Nos.29716 of 2024, etc., batch, this Court holds that in this case, without any jurisdiction, the impugned show cause notice came to be issued for more than one financial year, viz., 2018-19 to 2020-21, which is impermissible in law and hence, the same is liable to be quashed.

6. Accordingly, this Court passes the following order:

(i) The impugned show cause notice dated 29.06.2025 is quashed.

(ii) The respondents are directed to de-freeze the bank account of the petitioner immediately upon production of a copy of this order, if any.

(iii) The respondents are granted liberty to initiate separate proceedings, against the petitioner, for each financial year.

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

22.08.2025

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

KRISHNAN RAMASAMY.J.,

vm

To

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Directorate of GST Intelligence,
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