IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.10.2025

CORAM

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.Nos.39989, 39992, 39994, 40013 & 40021 of 2025
and
W.M.P.Nos.44909, 44912, 44915, 44918, 44919, 44944, 44946, 44956, 44959 & 44961 of 2025

Tvl. Shine Flowers,
Rep. by its Proprietor Mr.C.Muniraju,
No.1038/2, Near Maruthi Hatcheries,
Hosur – 635 109. ... Petitioner in all W.Ps

Vs.

The State Tax Officer,
Inspection Cell-1 (Intelligence),
Hosur Division, Hosur. ... Respondent in all W.Ps

Prayer in W.P.No.39989 of 2025: Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorari, calling for Respondent's Order dated 02.07.2024 with Ref No.ZD330724023461R and quash the same.

Prayer in W.P.No.39992 of 2025: Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorari, calling for Respondent's Order dated 01.07.2024 with Ref No.ZD330724011972I and quash the same.

Prayer in W.P.No.39994 of 2025: Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorari, calling for Respondent's Order dated 02.07.2024 with Ref No.ZD330724021861L and quash the same.

Prayer in W.P.No.40021 of 2025: Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorari, calling for Respondent's Order dated 25.06.2024 with Ref No.ZD330624305455L and quash the same.

Prayer in W.P.No.40013 of 2025: Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorari, calling for Respondent's Order dated 01.07.2024 with Ref No.ZD330724014272T and quash the same.

W.P.Nos.39989, 39992, 39994, 40013 & 40021 of 2025

For Petitioner : Mr.Adithya Reddy

For Respondent : Mrs.K.Vasanthamala
Government Advocate

COMMON ORDER

Mrs.K.Vasanthamala, learned Government Advocate, takes notice for the respondent.

2. By this Common Order, all these writ petitions are being disposed of at the time of admission with the consent of the learned counsel for the petitioner and learned Government Advocate for the respondent.

3. In these writ petitions, the petitioner has challenged the respective impugned orders as detailed below:

S.No.	Writ Petition No.	Date of impugned Order	Date of DRC-01A	Date of DRC-01	Assessment Year
1.	W.P.No.39989/2025	02.07.2024	21.03.2024	02.04.2024	2022-2023
2.	W.P.No.39992/2025	01.07.2024	21.03.2024	02.04.2024	2019-2020
3.	W.P.No.39994/2025	02.07.2024	21.03.2024	02.04.2024	2021-2022
4.	W.P.No.40013/2025	01.07.2024	21.03.2024	02.04.2024	2020-2021
5.	W.P.No.40021/2025	25.06.2024	21.03.2024	02.04.2024	2018-2019

4. These impugned orders were preceded with an intimation in DRC-01A dated 21.03.2024 followed by a show cause notice in DRC-01 dated 02.04.2024. The petitioner has not replied to the notices and thus suffered the impugned orders for the above mentioned periods.

5. The demand in these cases pertains to tax payable by the petitioner under reverse charge mechanism on seigniorage fees and tax payable on the escaped turnover from the sale of Boulders.

6. As far as the issue relating to payment of tax on seigniorage fees is concerned, the issue is now pending before the Hon'ble Supreme Court and therefore, I am inclined to remand the cases back to the respondent to await the orders of the Hon'ble Supreme Court.

7. If the levy of seigniorage fees is upheld by the Hon'ble Supreme Court, the petitioner has to pay tax on the seigniorage fee. Conversely, if the levying of the seigniorage fee is struck down by the Hon'ble Supreme Court, the tax demand on such fee has to be dropped. To that extent, the cases are remanded to the respondent to await the orders of the Hon'ble Supreme Court, insofar as the seigniorage fee is concerned. The petitioner shall deposit 10% of the disputed tax as seigniorage fees and shall await for the orders of the Hon'ble Supreme Court.

8. As far as the payment of tax on escaped turnover from the sale of

Boulders is concerned, the cases are also remitted back to the respondent to pass a fresh orders on merits, subject to the petitioner depositing 10% of the disputed tax, confirmed in each of the respective impugned orders, in cash from the Petitioner's Electronic Cash Register, within a period of thirty (30) days from the date of receipt of a copy of this order.

9. Within such time, the petitioner shall also file a reply to the respective show cause notices regarding the tax payable on the escaped turnover, along with the requisite documents to substantiate the case by treating the respective impugned orders as an addendum to the notices.

10. If the petitioner complies with the above stipulations, the respondent shall proceed to pass fresh orders on merits and in accordance with law as expeditiously as possible, preferably, within a period of three (3) months of such reply / pre-deposit, on the issue of tax payable on the escaped turnover.

11. It is needless to state that, before passing any such order(s), the petitioner shall be heard.

12. It is made clear that bank attachment shall be lifted subject to the

deposit of 10% of the disputed tax as ordered above if the petitioner is in arrears of any tax barring the amount demanded under the respective impugned orders.

13. In case the petitioner fails to comply with any of the above stipulations, the respondent is at liberty to proceed against the petitioner to recover the tax in accordance with law as if these writ petitions were dismissed *in limine* today insofar as the demand of tax on the escaped turnover.

14. Since the Hon'ble Supreme Court may pass orders at any time later, separate orders may be passed insofar as the seigniorage fee is concerned and separate order on the alleged tax due from the petitioner on the sale of boulders under the Reverse Charge Basis.

15. With the above directions, these Writ Petitions stand disposed of. Consequently, connected miscellaneous petitions are closed. No costs.

24.10.2025

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Neutral Citation : Yes / No

To

The State Tax Officer,
Inspection Cell-1 (Intelligence),
Hosur Division, Hosur.

C.SARAVANAN, J.

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W.P.Nos.39989, 39992, 39994, 40013 & 40021 of 2025

24.10.2025