IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07-11-2025

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THE HONOURABLE MR JUSTICE C. SARAVANAN

W.P.Nos.41790, 41794 & 41799 of 2025
and
W.M.P.Nos.46825, 46826, 46828, 46829, 46831 & 46833 of 2025

C.K.S Blue Metal
Rep.by its Proprietor S.Vinothkumar,
No.599/4A Rangapuram Village,
Sathuvachari,
Vellore – 632 009.

...Petitioner in all W.P(s)

Vs.

1. The Deputy State Tax Officer,
Vellore Rural Assessment Circle,
Office of the Assistant
Commissioner(ST)
Fort Road,
Vellore – 638 201.

...Respondent in all W.P(s)

Prayer in W.P.No.41790 of 2025

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorari, calling for the records relating to the impugned Notice of the respondent dated 16.06.2025 in Ref:GSTIN:33AQCPV2020M1ZX/2020-21 for levying GST on the Seigniorage fee/Royalty paid for quarrying and transporting mineral for the year 2020-2021, quash the same.

Prayer in W.P.No.41794 of 2025

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorari, calling for the records relating to the impugned Notice of the respondent dated 16.06.2025 in Ref:GSTIN:33AQCPV2020M1ZX/2021-2022 for levying GST on the Seigniorage fee/Royalty paid for quarrying and transporting mineral for the year 2021-2022, quash the same.

Prayer in W.P.No.41799 of 2025

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorari, calling for the records relating to the impugned Notice of the respondent dated 16.06.2025 in Ref:GSTIN:33AQCPV2020M1ZX/2022-2023 for levying GST on the Seigniorage fee/Royalty paid for quarrying and transporting mineral for the year 2022-2023, quash the same.

For Petitioner(s):	Mr.V.Sanjeevi (in all W.Ps)
For Respondent:	Mr.T.N.C.Kaushik Additional Government Pleader (in all W.Ps)

COMMON ORDER

Mr.T.N.C.Kaushik, learned Additional Government Pleader, takes notice for the Respondent.

2. These Writ Petitions are being disposed of at the time of admission after hearing the learned counsel for the Petitioner and learned Additional Government Pleader for the Respondent.

3. In these Writ Petitions, the Petitioner has challenged the impugned Show Cause Notices dated 16.06.2025 under Section 63 of the respective GST enactments read with Rule 100(2) of the respective GST Rules.

4. The Petitioner has not obtained registration and has not paid GST to the Government on the Seigniorage fee/Royalty for quarrying and transporting of mines and minerals under the Reverse Charge Mechanism (RCM). The Petitioner had also not made any contributions to the District Mineral Foundation Trust (DMFT).

5. Under similar circumstances, this Court has passed orders by remitting the case back subject to the outcome of the decision of the Hon'ble Supreme Court regarding the dispute relating to levy of GST on the Seigniorage fee/Royalty paid for quarrying mines and minerals. In this connection, a reference is made to the decision of this Court in **S.Pichandhi, Proprietor of**

Sri Murugan Ready Mix Concrete and Blue Metal Industries, Vellore Vs. **The Deputy State Tax Officer, Vellore Rural Assessment Circle, Vellore**, in W.P.Nos.35883 and 35889 of 2025 dated 25.09.2025. Relevant portion of the order is reproduced below:-

> ***"3. In these Writ Petitions, the Petitioner has challenged the impugned Notices in FORM GST DRC-01A dated 16.06.2025 for the Tax Period 2021-2022 and 2020-2021 respectively.***
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> ***4. The learned counsel for the Petitioner submits that the issue is now pending before the Hon'ble Supreme Court, as the dispute pertains to levy of GST on the Seigniorage fee/Royalty paid for quarrying and transporting mineral.***
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> ***5. Considering the fact that the issue is pending before the Hon'ble Supreme Court, I am inclined to dispose of these Writ Petitions at the admission stage, by directing the Respondent to keep all the proceedings in abeyance.***
>
> ***6. The Respondent shall await the orders to be passed by the Hon'ble Supreme Court and thereafter proceed in accordance with law. The Petitioner shall however deposit 10% of the disputed tax as security, in line with the directions issued in the Petitioner's own case earlier."***

6. Considering the facts and circumstances of the above case in W.P.Nos.35883 and 35889 of 2025, which are almost identical to the facts of the present cases, this Court is of the view that the aforesaid order will hold

good in respect of the present Writ Petitions also. Accordingly, these Writ Petitions stands disposed of on the same terms. No costs. Connected Writ Miscellaneous Petitions are closed.

07-11-2025

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

To

1. The Deputy State Tax Officer,
Vellore Rural Assessment Circle,
Office of the Assistant
Commissioner(ST)
Fort Road,
Vellore – 638 201.

C.SARAVANAN, J.

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**W.P.Nos.41790, 41794 &
41799 of 2025**

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