IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.11.2025

CORAM :

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.No.45664 of 2025
and
W.M.P.Nos.50883 and 50885 of 2025

Tvl. Balamurugan Chemicals Pvt Ltd.
Rep by its Authorised Signatory,
Shri Krishnamoorthi Padmanabhan,
32/2, BMC House, Halls Road, Egmore,
Chennai – 600 008. ... Petitioner

Vs.

The Deputy State Tax Officer,
Egmore Assessment Circle Commercial Taxes Department
No.88, Mayor Ramanathan Salai,
Taluk Office Building, 2nd Floor,
Spur Tank Road, Chetpet,
Chennai – 600 031. ... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorari calling for the records in an connected with impugned order in GSTIN: 33AADCB4135F1Z7/2019-20 dated 27.08.2024 issued by the respondent and quash the same as arbitrary, in violation of principles of natural justice and illegal.

For Petitioner : Mr.B.Sathish Sundar

For Respondent : Mr.V.Prashanth Kiran
Government Advocate

ORDER

Mr.V.Prashanth Kiran, learned Government Advocate, takes notice for the Respondent.

2. This Writ Petition is 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 this Writ Petition, the Petitioner has challenged the impugned Order dated 27.08.2024 for the tax period 2019-2020. By the impugned order, the demand proposed in the Show Cause Notice in Form GST DRC-01 dated 20.05.2024, issued for the tax period 2019-2020, has been confirmed. The summary of the demand, as confirmed by the impugned order is extracted hereunder:-

FORM GST DRC - 07
[See rule 142(5)]
Summary of the order

Reference No. : ZD330824237739Y

Date : 27/08/2024

1. Tax Period :- APR 2019 - MAR 2020

2. Issues involved :- Scrutiny of returns

3. Description of goods / services :-

Sr. No	HSN	Description
-	-	-

4. Details of demand :-

(Amount in Rs.)

Sr. No	Tax Rate (%)	Turnover	Tax Period From	Tax Period To	Act	POS (Place of Supply)	Tax	Interest	Penalty	Fee	Others	Total
1	2	3	4	5	6	7	8	9	10	11	12	13
1	0	0.00	APR 2019	MAR 2020	CGST	NA	15,31,407.00	0.00	0.00	0.00	0.00	15,31,407.00
2	0	0.00	APR 2019	MAR 2020	SGST	NA	15,31,407.00	0.00	0.00	0.00	0.00	15,31,407.00
Total							30,62,814.00	0.00	0.00	0.00	0.00	30,62,814.00

You are hereby directed to make the payment by 27/09/2024 failing which proceedings shall be initiated against you to recover the outstanding dues.

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4. The above tax amount has already been paid by the petitioner on 18.11.2024 by debiting the Petitioner's Electronic Cash Ledger.

5. Apart from the above amount, it is submitted that the petitioner has also been imposed interest at 18% for belated payment and a penalty at 10% of the tax, amounting to Rs.10,000/-, which is on the higher side.

6. The learned counsel for the petitioner submits that the petitioner has a fair case to succeed and, therefore, seeks one opportunity, considering the facts that disputed tax has already been paid by the petitioner on 18.11.2024 by debiting the Petitioner's Electronic Cash Ledger.

7. The learned Government Advocate for the respondent submits that the writ petition is liable to be dismissed, as the petitioner has accepted the liability in the order dated dated 27.08.2024.

8. Having considered the submissions made by the learned counsel for the Petitioner and the learned Government Advocate for the Respondent, this Writ Petition is disposed of by remitting the case back to the Respondent to pass a fresh order, subject to the Petitioner filing a reply to the Show Cause Notice in Form GST DRC-01 dated 20.05.2024, together with requisite documents to substantiate the case by treating the impugned Order

dated 27.08.2024 as an addendum to the Show Cause Notice dated 20.05.2024, within a period of thirty (30) days from the date of receipt of a copy of this order.

9. In case the Petitioner complies with the above stipulations, the Respondent shall proceed to pass a final order on merits and in accordance with law as expeditiously as possible, preferably, within a period of three (3) months of such reply/pre-deposit. Subject to the Petitioner complying with the above stipulations, the attachment of the bank account of the Petitioner shall also stand automatically raised/vacated.

10. In case the Petitioner fails to comply with any of the stipulations, the Respondent is at liberty to proceed against the Petitioner to recover the tax in accordance with law as if this Writ Petition was dismissed *in limine* today.

11. Needless to state, before passing any such order, the Respondent shall give due notice to the Petitioner.

12. This Writ Petition stands disposed of with the above observations. No costs. Connected Writ Miscellaneous Petitions are closed.

28.11.2025

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To:

The Deputy State Tax Officer,
Egmore Assessment Circle Commercial Taxes Department
No.88, Mayor Ramanathan Salai,
Taluk Office Building, 2nd Floor,
Spur Tank Road, Chetpet,
Chennai – 600 031.

C.SARAVANAN, J.

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