IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-11-2025

CORAM

THE HONOURABLE MR JUSTICE C. SARAVANAN

WP No. 44983 of 2025
AND
WMP NO. 50156 OF 2025 and WMP NO. 50155 OF 2025

1. REJE Coating Systems Private Limited
Represented by its Director
Mr.G.Renolph Vicent,No.5, TNHB office Complex,R40 A Ambattur Estate Main Road,Mugappair,
Chennai,Tiruvallur, Tamilnadu 600 037.

Petitioner(s)

Vs

1. The Assistant Commissioner ST
JJ Nagar Assessment circle, Integrated commercial taxes and registration department building, Room No. 333,
3rd floor Nandanam Chennai 35

2.The State Tax Officer
No.1, PAPJM Building,Annex, 2nd Floor, Greams Road,Chennai 600 006.

Respondent(s)

PRAYER

call for the records of the first respondent in GSTIN/ 33AABCR7815A1ZU /2018-2019 dated 26/04/2024 and quash the same.

For Petitioner(s): Mr. V.Sundareswaran

For Respondent: Mr. C. Harsharaj
Special Government Pleader

ORDER

In this writ petition, the petitioner has challenged the order dated 26.04.2024 passed by the Assistant Commissioner ST/FAC, the first respondent which was preceded by a Show Cause Notice in DRC-01 dated 16.12.2023.

2. By the impugned order, the respondent has confirmed the demand that was proposed in Show Cause Notice dated 16.12.2023 issued for the tax period between April 2018 and March 2019. The petitioner responded to the aforesaid Show Cause Notice dated 16.12.2023 on 14.03.2024 in DRC-06.

3. The petitioner is confronting the demand raised in the show cause notice and confirmed vide impugned order in respect of the alleged / purported mismatch between the details in GSTR1 and GSTR3B, GSTR2A and GSTR3B and GSTR7 and GSTR1.

4. This case came up for admission on 19.11.2025. At request of the learned counsel for the respondents, the case was adjourned to get suitable instructions as to whether there was any duplication in demand confirmed under the order passed on 27.04.2024 impugned in W.P. No.44990 of 2025 and the subsequent order dated 29.04.2024, wherein the demand was dropped in so far as the mismatch between the details in GSTR1 and GSTR3B are concerned.

5. The learned Special Government Pleader for the respondents confirms that there is duplication of demand to extent in so far as the mismatch between the details in GSTR1 and GSTR3B are concerned in the respective proceedings.

6. Thus, it is evident that from the total amount of disputed tax confirmed vide assessment order dated 27.04.2024, a part of the demand raised in respect of the mismatch between GSTR1 and GSTR3B has to go.

7. At this stage, the learned counsel for the petitioner would endeavour to submit that as far as the other two issues i.e., mismatch between the details in GSTR2A and GSTR3B and GSTR7 and GSTR1 are concerned, the respondents have taken a wrong data and confirmed the demand and therefore, on this count also the impugned order has to be set aside. The learned counsel for the petitioner drew the attention of this Court to Form GSTR7 and GSTR1 along with the impugned order.

8. Prima facie, they indicate that the matter requires a detailed consideration. Since, the aforesaid issue cannot be decided by this Court in a summary proceeding, at the stage of admission, following the consistent view taken under similar circumstances, the case is remitted back in so far as the surviving demands are concerned on terms. Depending upon the long time taken by an assessee in approaching the Appellate Authority or this Court, amounts

have been fixed for such pre-deposit. In this case, there are no reason to take a different stand.

9. Therefore, to balance the interest of both parties viz., the assessee and the Revenue, the impugned order is quashed and the case is remitted back to the first respondent to re-examine the demand raised in so far as the surviving issues are concerned i.e., GSTR2A and GSTR3B and GSTR7 and GSTR1, subject to the petitioner depositing 50% of the disputed tax confirmed under these heads vide impugned order dated 26.04.2024 within a period of thirty days from the date of receipt of a copy of this order.

10. Within such time, the Petitioner shall also file a reply to the Show Cause Notice in GST DRC-01 dated 16.12.2023 together with requisite documents to substantiate the case by treating the impugned Order dated 26.04.2024 as an addendum to the Show Cause Notice dated 16.12.2023.

11. Amount which has already been recovered from the Petitioner against the aforesaid demand confirmed vide impugned order, shall be adjusted towards the pre-deposit of aforesaid 50% of the disputed tax as ordered above. This will be however subject to verification by the Respondents.

12. In case the Petitioner complies with the above stipulations, the Respondents 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.

13. In case the Petitioner fails to comply with any of the stipulations, the Respondents are 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.

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

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

21-11-2025

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

To
1.The Assistant Commissioner ST
JJ Nagar Assessment circle, Integrated
commercial taxes and registration
department building, Room No. 333,
3rd floor Nandanam Chennai 35

2.The State Tax Officer
No.1, PAPJM Building,Annex, 2nd
Floor, Greams Road,Chennai 600 006.

C.SARAVANAN J.

ab

WP No. 44983 of 2025

21-11-2025
(2/2)