



W.P.(MD)No.13353 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.04.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.13353 of 2025

and

W.M.P.(MD)No.9587 & 9589 of 2025

Tvl.Trichy Fork Lift,
Rep. By Managing Partner,
P.Selvarani.

... Petitioner

-vs-

The Deputy State Tax Officer – 2,
Ponmalai Assessment Circle,
Tiruchirappalli.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for respondent's order dated 05.04.2024 with GSTIN. 33AAHFT5555E1Z7/2018-19 and quash the same.

For Petitioner : Mr.J.Adithya Reddy

For Respondent : Mr.J.K.Jayaselan

Government Advocate



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ORDER

This writ petition is filed as against the assessment order passed by the respondent dated 05.04.2024, for the assessment year 2018-2019.

2. The learned counsel appearing for the petitioner submits that the order of assessment for the year 2018-2019 has been passed without providing sufficient opportunity to the petitioner, which according to the petitioner, is in violation to the principles of natural justice. Therefore, the order impugned in this writ petition, is liable to be set aside.

3. Mr.J.K.Jayaselan, learned Government Advocate appearing for the respondent submits that the impugned assessment order has been passed after issuing show cause notice in DRC 01 to the petitioner on 02.12.2023, followed by subsequent reminders, dated 17.02.2024 & 05.03.2024 and therefore, there is no need to interfere with the impugned order. He further submits that the petitioner is having an appeal remedy before the Deputy Commissioner (ST) (Appeal), Tiruchirapalli, under Section 107 of the GST Act, 2017. However, without invoking the appeal remedy, the petitioner has straightaway approached this Court.



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4. Recording the submission made by the learned Government Advocate that the petitioner is having an appeal remedy before the Deputy Commissioner (ST) (Appeal), Tiruchirapalli, under Section 107 of the GST Act, 2017, this writ petition is disposed of, with liberty to the petitioner to approach the appellate authority and raise all the grounds raised in this writ petition in the appeal. In the event, if any appeal is filed within a period of two weeks from the date of receipt of a copy of this order, the appellate authority shall entertain the appeal without reference to the period of limitation and dispose of the same in accordance with law, within a period of four months thereafter. There shall be no order as to costs. Consequently, connected Miscellaneous Petitions are closed.

NCC : Yes / No
Index : Yes / No
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30.04.2025

To:-

The Deputy State Tax Officer – 2,
Ponmalai Assessment Circle,
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VIVEK KUMAR SINGH, J.

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