BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.(MD)No.20833 of 2025
and
W.M.P.(MD)No.16121 of 2025

M/s. Chakra Chains Jewellery (P) Ltd.,
Represented by its Director V. Sarath Kumar,
GSTIN 33AAFCC0368R1ZC,
39/31, Balu Complex, South Avani Moola Street,
Madurai - 625001. ... Petitioner

-vs-

The State Tax Officer - VI (Inspection Wing),
Office of the Joint Commissioner (ST) (Intelligence),
Commercial Taxes Buildings,
Dr. Thangaraj Salai, K.K. Nagar,
Madurai – 625020. ... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records on the file of the respondent in GSTIN : 33AAFCC0368R1ZC/2024-25 dated 04.07.2025 passed by the respondent under Section 73 of TNGST Act 2017 and to quash the same as cryptic, *non est*, non-speaking, illegal, arbitrary and wholly without jurisdiction and direct the respondent to pass assessment order afresh by considering the reply and records dated 08.04.2025 filed by the petitioner.

For Petitioner : Mr.N.Sudalai Muthu

For Respondent : Mr.R.Suresh Kumar
Additional Government Pleader

ORDER

By consent, this Writ Petition is taken up for final disposal at the admission stage itself.

2. In this Writ Petition, the petitioner has challenged the impugned order dated 04.07.2025, passed for the tax period 2024–2025, in the backdrop of an inspection conducted at the petitioner's premises on 11.07.2024 and 12.07.2024.

3. It appears that a sworn statement was recorded from the Director of the petitioner. The petitioner submitted a reply on 15.07.2024. Not being satisfied with the same, the respondent issued a notice in Form DRC-01 on 09.01.2025, to which the petitioner submitted a reply on 08.04.2025. The same is reflected in the impugned order at Serial No.10, which states as follows:

> *"10.Reply filed by the taxable person in DRC-06 dated 08.04.2025 with copy of documents."*

4. According to the petitioner, more than 200 pages of supporting documents were also submitted to the respondent. However, the impugned order records that the petitioner failed to avail the opportunity provided, by not submitting a reply to the Inspection Officer at the time of inspection and that the petitioner has merely reiterated the contents of the earlier reply dated 15.07.2024 during the adjudication stage. The relevant portion of the impugned order reads as under:-

> *"Accordingly show cause notice was issued by the Inspection officer on 09.01.2025 requesting the taxable person to file their objections before 09.02.2025. Again, the taxable person had not availed the opportunity of filing the reply to show cause notice. As the taxable person had failed to av opportunity provided to them to file their reply by the inspection officer who had conducted inspection, had now filed reply during adjudication only reiterating the reply filed on 15.07.2024 to consider the documents enclosed along with their reply and to drop proceedings is not acceptable. The Taxable person should not go back from the statement made duly verified and signed with reference to records during the time of inspection."*

5. A reading of the above passage extracted from the impugned order indicates a total non-application of mind. The respondent is required to independently examine the available records and arrive at a reasoned conclusion as to whether the statements recorded on 11.07.2024 and 12.07.2024, the reply dated 15.07.2024 and the reply in Form DRC-06 dated 08.04.2025, collectively make out a case for confirming the demand or for dropping the same.

6. In light of the above, the impugned order stands quashed and the matter is remitted back to the respondent for passing fresh orders, on merits and in accordance with law, within a period of three months from the date of receipt of a copy of this order. Needless to state, the petitioner shall be afforded an opportunity of personal hearing before final orders are passed.

7. The Writ Petition stands disposed of accordingly. No costs. Consequently, connected Miscellaneous Petition is closed.

NCC : Yes / No
Index : Yes / No
smn2

30.07.2025

To:-

The State Tax Officer - VI (Inspection Wing),
Office of the Joint Commissioner (ST) (Intelligence),
Commercial Taxes Buildings,
Dr. Thangaraj Salai, K.K. Nagar,
Madurai – 625020.

C.SARAVANAN, J.

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W.P.(MD)No.20833 of 2025

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