BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **09.12.2025**

CORAM:

THE HONOURABLE **DR.JUSTICE G. JAYACHANDRAN**
AND
THE HONOURABLE **MR.JUSTICE K.K. RAMAKRISHNAN**

W.A.(MD)No.3185 of 2025
and
C.M.P.(MD)No.19447 of 2025

Indian Traders,
Represented by Proprietor,
Mr.Abdul Jalil Yasar Arabath,
No.3/261-1, Alagapuri Road,
Pavali, Virudhunagar-626 001. ... Appellant

Vs.

1.The Commercial Tax Officer,
TND019, Admn.State,
Integrated Commercial Taxes Building,
No.6 499, Madurai Main Road,
Virudhunagar-626 001.

2.The State Tax Officer /the Commercial Tax Officer,
(Rs-I/group V), Intelligence,
Virudhunagar,
Integrated Commercial Taxes Building,
No.6/499, Madurai Main Road,
Virudhunagar-626 001.

3.The Joint Commissioner (ST),
Intelligence, Virudhunagar,
Integrated Commercial Taxes Building,
No.6/499, Madurai Main Road,
Virudhunagar-626 001. ... Respondents

PRAYER:- Writ Appeal – filed under Clause 15 of the Letters Patent, to set aside the order passed in W.P.(MD)No.21670 of 2025 dated 07.08.2025 and allow the writ appeal.

For Petitioner : Mr.D.Kanagasundaram
For Respondents : Mr.K.Suresh Kumar
Additional Government Pleader

JUDGMENT

(Judgment of the Court was delivered by **DR.G.JAYACHANDRAN, J.)**

This intra-court appeal is filed challenging the order of the learned Single Judge on the ground that credit blocking by the State Tax Officer is contrary to provisions under Section 86(A) of the TNGST Act, 2017.

2.The issue centers around input tax credit, which is now been blocked by the order of the second respondent. According to the learned counsel appearing for the appellant, the statute empowers the Commissioner or the person authorised by the Commissioner not below the rank of Assistant Commissioner to block the input tax credit. Whereas in this case, the State Tax Officer has issued the impugned order without such authorisation and when this was pointed out before the learned Single Judge, he had presumed that the second respondent might have been authorised by the Commissioner.

3.The next point canvassed before this Court is that there is a negative credit blocking, which is not permissible as per the pronouncement of the various High Courts in India.

4.When this Court poses a question to the learned counsel for the appellant as to whether he had made any representation to the authorities regarding the alleged infirmity in the order, he has stated that he has not made any representation so far.

5.The learned counsel appearing for the State Sales Tax Department would submit that the appellant is falling under the scanner for input tax credit evasion by making fake entries and therefore, the blocking order had been passed by the State Tax Officer, who was in additional charge of the post of Assistant Commissioner vide proceedings dated 12.05.2025 issued by the Joint Commissioner. Therefore, the blocking order is well within the power of the second respondent.

6.This Court without adverting to the merits of the case dismisses the present writ appeal confirming the order of the learned Single Judge, who has rightly observed that the petitioner is always at liberty to apply for appropriate relaxation and seek remedy. Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

[G.J., J.] & [K.K.R.K., J.]
09.12.2025

Index :Yes/No
Internet :Yes
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DR.G. JAYACHANDRAN, J.
AND
K.K. RAMAKRISHNAN, J.

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W.A.(MD)No.3185 of 2025

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