IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 29-01-2026**

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**THE HON'BLE MR JUSTICE C. SARAVANAN**

WP No. 2273 of 2026
and
WMP.Nos.2515 & 2516 of 2026

Mega Enterprises

Rep by its Proprietor Chikkam Anantha Lakshmi

T.D Complex at No. 573-C,S.B.O.A. School

Street,Anna Nagar West Extension,

Chennai 600 101.

..Petitioner(s)

Vs

State Tax officer

Padi Assessment circle,

Officer of the Assistant Commissioner (St)

Padi Circle, Chennai 600 035

..Respondent(s)

Prayer: Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorari calling for the records relating to the Respondent's notice in Form DRC 01D dated 23.12.2024 bearing reference no.ZD331224191552K, issued under Section 75 (12) of the TNGST Act, 2017, for the period March 2024, quash the same.

For Petitioner(s): Mr.Adithya Reddy

For Respondent(s): Ms.Amirtha Poonkodi Dinakaran
Government Advocate

## ORDER

Ms.Amirtha Poonkodi Dinakaran learned Government Advocate takes notice for the Respondent.

2. This Writ Petition is being disposed of at the stage of admission itself with the consent of the learned counsel for the Petitioner and the learned Government Advocate for the Respondent.

3. In this writ petition, the petitioner has challenged the impugned intimation issued in Form GST DRC-01D dated 23.12.2024. The demand raised in the said intimation under Section 75(12) read with Rule 88C of the respective GST Enactments arises on account of a mismatch between GSTR-1 and GSTR -3B for the month of March 2024.

4. The case of the petitioner is that the petitioner had supplied services to M/s.NTC Infrastructure and Engineering Private Limited and had raised an invoice dated 11.03.2024. Subsequenlty, as the contractual conditions were not satisfied at the stage, the petitioner issued a credit note on 02.07.2024 in respect of the said invoice.

5. The learned counsel for the petitioner further submits that the dispute was later resolved between the petitioner and the NTC infrastructure and Engineering Private Limited. Consequently, the transaction was re-credited and appropriately reflected in the GSTR-1 return for the month of March 2024. However, the credit note issued on 02.07.2024 was reflected in the return for July 2024.

6. The learned counsel for the petitioner however submits that the Petitioner is willing to pre-deposit 25% of the disputed tax as a condition for *denovo* adjudication of the issue covered by the impugned intimation in Form GST DRC-01D dated 23.12.2024.

7. The learned Government Advocate for the respondent submits that, in view of the variance between GSTR-1 and GSTR-3B, the impugned intimation has been issued under 75(12) read with Rule 88C of the respective GST Enactments.

8. I have considered submissions made by the learned counsel for the petitioner and the learned Government Advocate for the respondent.

9. Following the consistent view taken by this Court under similar circumstances, the case is remitted back to the Respondent to pass a fresh order on merits, subject to the Petitioner depositing 25% of the disputed tax amount i.e., Rs.72,65,682.36/- arising on account of the mismatch between GSTR-1 and GSTR-3B for the month of March 2024, in cash from the Petitioner's Electronic Cash Register, within a period of thirty (30) days from the date of receipt of a copy of this order.

10. In case the Petitioner complies with the above stipulation, 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 vacated.

11. It is made clear that bank attachment shall be lifted subject to the Petitioner depositing 25% of the disputed tax as ordered above and the Petitioner not being in arrears of any other amount for any other tax period barring the amount demanded under the impugned Order.

12. In case the Petitioner fails to comply with any of the stipulation, 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.

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

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

**29-01-2026**

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

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To

State Tax officer
Padi Assessment circle,
Officer of the Assistant Commissioner (St)
Padi Circle, Chennai 600 035

**C.SARAVANAN, J.**

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