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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.01.2026

CORAM :

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.No.2504 of 2026
and
W.M.P.No.2747 of 2026

Promon Software Solutions LLP
Represented by Partner Sumathi Subramaniam,
Tower A, No.1, “TEK Towers”, 4th Floor, OMR,
Okkiyum, Thuraipakkam, Chennai – 600097. ... Petitioner

Vs.

The Assistant Commissioner (ST)
Sholinganallur Assessment Circle, South III,
2nd Floor, Room No.218, The Integrated Building for
Commercial Taxes and Registration Department,
(South Tower), Nandanam, Chennai – 35. ... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorarified Mandamus, to call for the records of the Respondent relating to the Impugned Order in Form GST DRC – 07, vide Ref.No.ZD330225115532X, dated 12.02.2025, quash the same and consequently direct the Respondent to lift the bank attachment and provide the petitioner with an opportunity of fresh hearing and pass such further or other orders as this Court may deem fit and proper in the facts and circumstances of the case.



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For Petitioner : Mr.P.Sivagaminathan

For Respondent : MsAmirtha 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 Order dated 12.02.2025, which was preceded by a Show Cause Notice in GST DRC-01 dated 26.11.2024 wherein the Petitioner was called upon to appear for personal hearing. However, the Petitioner had not taken advantage of the same and thus, suffered the impugned Order dated 12.02.2025.

4. It is noticed that the limitation for filing an appeal under Section 107 of the respective GST enactments, 2017 against the impugned Order has already expired. The present Writ Petition has been filed only on 21.01.2026.



5. At this stage, the learned counsel for the Petitioner submits that the Petitioner is willing to pre-deposit 25% of the disputed tax as a condition for *denovo* adjudication.

6. Under similar circumstances, Orders have been quashed and cases have been remitted back to the Respondent to pass a fresh order on terms subject to such Assessee depositing 25% to 100% of the disputed tax depending upon the length of delay in approaching the Court. I do not find any reason to take a different view in this case.

7. Therefore, to balance the interest of both parties viz., the Assessee and the Revenue, 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 in cash or 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.

8. Within such time, the Petitioner shall also file a reply to the Show Cause Notice in GST DRC-01 dated 26.11.2024 together with requisite documents to substantiate the case by treating the impugned Order dated 12.02.2025 as an addendum to the Show Cause Notice dated 26.11.2024.



9. In case the Petitioner complies with the above stipulations, 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.

10. 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.

11. In case the Petitioner fails to comply with any of the stipulations, 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.

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



WEB COPY 13. This Writ Petition stands disposed of with the above observations.

No costs. Connected Writ Miscellaneous Petition is closed.

27.01.2026

Neutral Citation: Yes / No
kmm

To:

The Assistant Commissioner (ST)
Sholinganallur Assessment Circle, South III,
2nd Floor, Room No.218, The Integrated Building for
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C.SARAVANAN, J.

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