IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-03-2026

CORAM

THE HON'BLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P. No.8733 of 2026
and
W.M.P. Nos.9407, 9408 and 9412 of 2026

Tvl. Blue Steels
Rep. by its proprietor Mr.Murugesan,
No.3035, Ground Floor, TNHB Road, Kakkalur,
Tiruvallur 602001

..Petitioner(s)

Vs

1. State Tax Officer (FAC),
   Group-I, Intelligence-II,
   No.1. PAPJM Buildings, Greams Road,
   Thousand Lights, Chennai-600 006.

2. The Assistant Commissioner (ST),
   Tiruvallur Assessment Circle,
   Integrated Building for Commercial Taxes,
   Varadharajapuram, Nazarathpettai,
   Chennai-600 123.

3. Branch Manager, City Union Bank,
   Plot No.02, Porur Garden Phase II,
   Near Porur Tollgate, Vanagaram,
   Chennai-600 095.

..Respondent(s)

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for a writ of Certiorari calling for the records of impugned order dated 01.08.2025 in Form GST DRC-07 bearing Reference No.ZD330825015150W along with its annexure of the 1st Respondent passed in Petitioner's GSTIN33AALHS7739B1Z0 for the FY 2022-2023 and quash the same to the extent confirmed the tax of Rs.5,81,713/-, interest and penalty and quash the same and pass such other or further order as this Honble Court may deem fit and proper in the circumstances of the case and thus render justice.

For Petitioner(s): Mr.R.Anish Kumar

For Respondent(s): Ms.Amirtha Poongodi
Government Advocate

ORDER

By consent of learned counsel on both sides, this writ petition is taken up for final disposal at the admission stage itself.

2. The present writ petition is filed challenging the order of assessment dated 01.08.2025 for the financial year 2022-23 and quash the same.

3. Ms.Amirtha Poongodi, learned Government Advocate takes notice for respondents.

4. In this Writ Petition, the Petitioner has challenged the impugned Assessment Order dated 01.08.2025 which was preceded by a Show Cause Notice in GST DRC-01 dated 10.09.2024, however, petitioner had not filed any reply to the same. During scrutiny, it was noticed that there was excess claim of ITC. Thereafter, impugned assessment order dated 01.08.2025 came to be passed.

5. It is noticed that under similar circumstances, this Court has come to the rescue of persons like petitioner by quashing the impugned assessment order on terms subject to petitioner depositing 25% of the disputed tax, which was agreed to by the learned Government Advocate for respondents.

6. Considering the same, the impugned assessment order dated 01.08.2025 is quashed and the case is remitted back to the respondents to pass a fresh order subject to the petitioner depositing 25% of the disputed tax in cash from the petitioner's Electronic Cash Register within a period of four weeks from the date of receipt of a copy of this order. If any amount has been recovered or paid out of the disputed taxes, including by way of pre-deposit in appeal, the same would be reduced/adjusted, from/towards the 25% of disputed taxes directed to be paid. The assessing authority shall then intimate the balance amount out of 25% of disputed taxes to be paid, if any, within a period of one week from the date of receipt of a copy of this order. The petitioner shall deposit such remaining sum within a period of three weeks from such intimation.

7. Petitioner shall file a reply to the Show Cause Notice in DRC-01 dated 10.09.2024 together with requisite documents to substantiate the case by treating the impugned assessment order dated 01.08.2025 as an addendum to the show cause notice dated 10.09.2024 within a period of four weeks from the date

of receipt of a copy of this order.

8. In case petitioner complies with the above stipulated conditions, respondents shall proceed to pass fresh orders on merits and in accordance with law as expeditiously as possible, preferably, within a period of three (3) months thereafter, after hearing the Petitioner. Subject to petitioner complying with the above stipulations, attachment of bank account of petitioner, if any, shall stand automatically vacated.

9. In case petitioner fails to comply with any of the conditions stipulated above, respondents are at liberty to proceed against the petitioner in accordance with law as if this Writ Petition was dismissed *in limine* today. Thereafter, it is for the respondents to take steps against the petitioner to recover the tax that has been confirmed in the impugned assessment order dated 01.08.2025.

10. Needless to state, before passing any such order, respondents shall give due notice to the petitioner. 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. The Writ Petition stands disposed of with the above observations. No costs. Consequently, the connected miscellaneous petitions are closed.

12-03-2026

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

To:

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MOHAMMED SHAFFIQ J.

MKA

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