



WEB COPY



W.P.No.10689 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.03.2026

CORAM

**THE HONOURABLE MR.JUSTICE C.SARAVANAN**

W.P.No.10689 of 2026

and

W.M.P.Nos.11609 and 11612 of 2026

Selvam  
rep. By Mr.S.Muthukannu  
Proprietor  
No.1/64 Salem Cuddalore Main Road  
Thalaivasal  
Salem 636 112. ... Petitioner

Vs

The Commercial Tax Officer (ST)  
Attur (Town)  
Salem II Assessment Circle  
Salem District. ... Respondent

Writ Petition is 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 order dated 11/1/2025 pertinent to the assessment year 2019 – 2020 in GSTIN Number (33BEZPM6510F1ZB and quash the same and consequently direct the respondent to redo the fresh assessment.

For Petitioner : Mr.V.G.Vijay Raj

For Respondent : Mrs.P.Selvi  
Government Advocate



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## **ORDER**

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Ms.P.Selvi, 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 11/1/2025, which was preceded by a Show Cause Notice in GST DRC-01 dated 6/9/2024, wherein the Petitioner was called upon to file a reply and to appear for a personal hearing. However, the Petitioner did not take advantage of the same and has thus suffered the impugned Order dated 11/1/2025.

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 long before. However, the present Writ Petition has been filed only on 12/3/2026.



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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 and he has also made an endorsement to that effect in the Court bundle, which has been extracted hereunder:-

*“The petitioner is willing to pay 25% of the disputed tax.”*

6. Recording the above consent given by the Petitioner, 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.

7. Within such time, the Petitioner shall also file a reply to the Show Cause Notice in GST DRC-01 dated 6/9/2024 together with requisite documents to substantiate the case by treating the impugned Order dated 11/1/2025 as an addendum to the Show Cause Notice dated 6/9/2024.



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8. 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 if any, shall also stand automatically vacated.

9. 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.

10. 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.

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



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12 . This Writ Petition stands disposed of with the above observations.

No costs. Connected Writ Miscellaneous Petitions are closed.

23.03.2026

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Neutral Citation : Yes / No

To

The Assistant Commisisoner (ST)  
Saidapet Assessment Circle  
No.46 Mylapore Taluk Office Building  
3<sup>rd</sup> Floor, Greenways Road  
R.A.Puram  
Chennai 600 028.



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**C.SARAVANAN, J**

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