IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-04-2026

CORAM

THE HONOURABLE MR JUSTICE C. SARAVANAN

WP No. 12376 of 2026
AND
WMP Nos. 13528 and 13526 OF 2026

1. M/s.Lakshmi Narayana Lorry Service
Rep by its Proprietor Mr. Angu Suriyanarayanan GSTIN-33AAUPS6083R1Z1 , 41, Room No.2, Elephant gate bridge road, Choolai, Chennai-600112

Petitioner(s)

Vs

1. The State Tax Officer
Choolai Assessment circle, Chennai North III, No.1 PAPJM Annexure Building, 1st Floor, Greams Road, Chennai 06

Respondent(s)

PRAYER

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India calling for the records and quashing the impugned order bearing reference GSTN 33AAUPS6083R1ZI Dated 26.12.2025, along with its summary in Form DRC-7 bearing reference No. ZD331225404294S passed by the Respondent, as the same is being arbitrary, without authority of law and in violation of Articles 14, 19 (1)(g) and 265 of the Constitution and quash the same and thus render justice

For Petitioner(s): G Natarajan
S.Sridevi
N.Asmitha
J.Ragini
S.Mohammed Zuhayr

For Respondent: Mr.C. Harsharaj, Special Government Pleader

ORDER

Mr.C. Harsharaj, Special Government Pleader takes notice for the Respondents.

2. These Writ Petitions are being disposed of at the stage of admission itself with the consent of the learned counsel for the Petitioner and the learned Special Government Pleader for the Respondents.

3. Heard the learned counsel for the petitioner and the Special Government Pleader appearing for the respondent.

4. In this writ petition the petitioner has challenged the impugned order dated 26.12.2025, whereby the proposal in show cause notice in DRC-01 dated 27.09.2025 has been confirmed. The impugned order has considered the petitioner's reply dated 25.10.2025 and confirmed the demand**.** The challenge to the impugned order is primarily on the ground that the petitioner is a goods transport operator and such services are exempt under Notification No.12/2017-CT(R) SI.No.18

5. The respondent has taken certain expenses to come to the conclusions that the petitioner was a recipient of the service under Reverse Charge Mechanism and therefore tax has to be paid by the petitioner. The other ground on which the impugned order has been challenged is that the petitioner has rented out his godown to I.T.C limited for storage of agricultural goods which is exempted in Notification No.13/2017 – Central Tax (Rate) dated 28.06.2017. However, no finding has been rendered on the same. But the Demand has been made.

6.The learned counsel for the respondents submits that appropriate orders may be passed under the facts and circumstances of the case.

7. Having considering the submissions made by the learned counsel for the petitioner and the learned counsel for the respondent, I am of the view that the confirmation of demand by the impugned order in response to the Show Cause Notice in DRC-01 dated 27.09.2025 *prima facie* indicates that the officer has been misdirected by confirming the demand.

8. Considering the fact that the petitioner was not *prima facie* liable to pay tax as a GTA, insofar as services provided to specified person in Serial No.1 to Notification No.13/2017- Central Tax(Rate) dated 28.06.2017 r/w

Notification No.12/2017 dated 28.06.2017, the impugned order is quashed and the matter is remitted back to the respondent to pass orders on merits and in accordance with law with law as expeditiously as possible,

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

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

08-04-2026

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

To.

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Choolai Assessment circle, Chennai North III, No.1 PAPJM Annexure Building, 1st Floor, Greams Road, Chennai 06

C.SARAVANAN J.
smn

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