



WEB COPY

WP No. 11792 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-03-2026

CORAM

THE HON'BLE MR JUSTICE C. SARAVANAN

WP No. 11792 of 2026

AND

WMP.No.12867 of 2026

M/s.Ganesh

Represented by its Legal Heir

Thiru.G.Prakash

S/o.(Late) A.S.Ganesan,

No.1/111,Salai Street,Meyyur,

SADRAS,Thirukazhukundram,

Kancheepuram, Chennai.

Tamilnadu - 603 109.

..Petitioner(s)

Vs

The Commercial/state Tax Officer,

Thirukazhukundram,

Chengalpattu District - 603 109.

..Respondent(s)

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorari to call for the records of the Respondent in FORM GST DRC-07 vide Ref. No.ZD330125262960K/2020-2021 dated 28.01.2025 in connection with detailed order in GSTIN No. 33AKUPG5276E2ZY/2020-2021 dated 28.01.2025 and quash the same.

For Petitioner(s):

Mr.Chinnasamy.V

For Respondent(s):

Mrs.K.Vasanthamala, GA

ORDER

Mrs.K.Vasanthamala, 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 28.01.2025, which was preceded by a Show Cause Notice in FORM GST DRC 01 dated 25.11.2024 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 28.01.2025.

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 23.03.2026.

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. The learned counsel for the Petitioner has also made the following



endorsement to that effect in the Court bundle which has been extracted hereunder:-

WEB COPY

“Petitioner will pay 25% disputed tax arrear and thus render justice”.

7. 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.

8. Within such time, the Petitioner shall also file a reply to the Show Cause Notice in FORM GST DRC 01 dated 25.11.2024 together with requisite documents to substantiate the case by treating the impugned Order dated 28.01.2025 as an addendum to the Show Cause Notice dated 25.11.2024 .

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 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.



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.

13. Any amount recovered or already paid by the Petitioner shall be adjusted towards the disputed tax.

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

26-03-2026
(2/2)

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

GV



WP No. 11792 of 2



To
WEB COPY

The Commercial/state Tax Officer,
Thirukazhukundram,
Chengalpattu District - 603 109.



WEB COPY

WP No. 11792 of 2



C.SARAVANAN J.

GV

**WP No. 11792 of 2026
AND
WMP.No.12867 of 2026**

**26-03-2026
(2/2)**