IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15-04-2026

CORAM

THE HONOURABLE MR JUSTICE C. SARAVANAN

WP No. 14405 of 2026
WMP Nos. 15612 & 15613 of 2026

Narayana Mines
Rep. by its Partner P.Subramani,
Old No.29, N.No.5, 3rd Cross Street,
Ramesh Nagar, West Tambaram,
Chennai - 600 045.

Petitioner(s)

Vs

Assistant Commissioner (ST)
Tambaram Assessment Circle,
Integrated Registration and Commercial Taxes Buildings,
Greenways Road, RA Puram, Chennai - 28.

Respondent(s)

PRAYER Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorari, calling for the records in impugned proceeding in GSTIN/33AAGFN3501R1Z5/2022-2023 dated 27.01.2026 on the file of the respondent herein and quash the same.

For Petitioner(s): Mr.B.Manoharan

For Respondent(s): Ms.Amirtha 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 challenged the Impugned Order dated 27.01.2026 which was preceded by a Show Cause Notice in GST DCR-01 dated 03.10.2025 wherein the proposal to pay the tax under Reverse Charge Basis on account of the Seigniorage fee or Royalty payable to the State Government for the mining license given to the petitioner, was confirmed in absence of a reply.

4. The learned counsel for the petitioner submitted that the petitioner is willing to deposit 10% of the disputed tax proposed in the impugned Show Cause Notice as a condition for *denovo* adjudication and he had also made the following endorsement to that effect in the Court bundle:-

"Petitioner may be permitted to deposit 10% of tax claim and case may be remanded to respondent."

5. The learned Government Advocate for the respondent has no objection for the same.

6. It is noticed that the issue is now pending before the Hon'ble Supreme Court.

7. Therefore, the case is remitted back to the Respondent to pass an order subject to the Petitioner depositing 10% of the disputed tax in cash 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. Recovery of balance tax shall be however subject to orders of the Hon'ble Supreme Court on payment of Seigniorage fee or Royalty fee for quarrying. In case decision of the Hon'ble Supreme Court is in favour of the Petitioner, the tax amount now directed to be pre-deposited shall be refunded back or re-credited in the Petitioner's Electronic Cash Register. In case, the Hon'ble Supreme Court decides the case against the Petitioner, the Petitioner shall pay the tax amount subject to such amount as may be ordered to be paid.

9. Therefore, the Petitioner shall also file a reply to the Show Cause Notice in GST DCR-01 dated 03.10.2025 by treating the impugned order dated 27.01.2026 as an addendum together with requisite documents to substantiate the defence within period of thirty (30) days from the date of receipt of a copy of this order.

10. In case the Petitioner complies with the above stipulations, the Respondent shall proceed to pass a final order in line with the decision of the Hon'ble Supreme Court on payment of Seigniorage fee or Royalty fee for quarrying. 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.

11. It is made clear that attachment of Petitioner's bank account, if any, shall be lifted subject to Petitioner depositing 10% of the disputed tax as ordered above and subject to Petitioner is not being in arrears of any other amount barring the amount demanded under the impugned Show Cause Notice.

12. 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.

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

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

15-04-2026
(1/3)

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

To

Assistant Commissioner (ST)
Tambaram Assessment Circle,
Integrated Registration and Commercial Taxes Buildings,
Greenways Road, RA Puram, Chennai - 28.

C.SARAVANAN J.

ssr

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(1/3)