



WEB COPY

WP No. 14975 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-04-2026

CORAM

THE HON'BLE MR JUSTICE C. SARAVANAN

WP No. 14975 of 2026

AND

WMP Nos. 16200 & 16202 of 2026

SIBI Distributors,
Rep by its partner Mrs.M.Sasikala,
No.1, Nambiyur Road, Punjaipuliyampatti,
Erode 638 459.

..Petitioner(s)

Vs

The Deputy State Tax Officer(ST)- I,
Mettupalayam Taluk Assessment Circle,
Metupalayam.

..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 GSTIN 33ACEFS2688G1ZZ/2021-2022 along with the summary of order in Form GST DRC 07 dated 10.11.2025 and quash the same and pass such order or other orders as this Honble Court may deem fit and proper in the facts and circumstance of the case and thus render justice.

For Petitioner(s): Mr.J.Sunilkumar

For Respondent(s): Mrs.P. Selvi, GA

ORDER

Mrs.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. The Petitioner has come up with the present Writ Petition against the Impugned Order in Form DRC 07 dated 10.11.2025 whereby the proposal in the Show Cause Notice in Form DRC 01 dated 22.08.2025 has been confirmed in the absence of a reply.

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 11.04.2026.

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:-

“Accept the 25% of pre-deposit”



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 22.08.2025 together with requisite documents to substantiate the case by treating the impugned Order dated 10.11.2025 as an addendum to the Show Cause Notice dated 22.08.2025.

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.

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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 Petitions are closed.

20-04-2026

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

GV



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To

The Deputy State Tax Officer(ST)- I,
Mettupalayam Taluk Assessment Circle,
Metupalayam.



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C.SARAVANAN J.

GV

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