IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-06-2026

CORAM

THE HON'BLE MR JUSTICE SENTHILKUMAR RAMAMOORTHY

WP No. 16941 of 2026
and WMP.Nos.18248 & 18249 of 2026

Sri Srinivasan Raju
New No.1-199F, Kunnathur Pudur, Kunnathur
Avanashi, Coimbatore-641653.

..Petitioner

Vs

Assessment Unit
Income Tax Department,
New Delhi.

..Respondent

<u>Prayer</u> : Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorari to call for the records of the respondent in his proceeding in DIN - ITBA/AST/S/147/2025-26/1086816847 (1) - PAN - CUBPS7326E and quash the order dated 03-03-2026 passed therein.

For Petitioner: Mr. Raveendran B

For Respondent: Ms. M. Sheela, SPC
Mr. H. Siddarth, Junior PC

ORDER

An assessment order under Section 147 read with Section 254 and Section 144B of the Income Tax Act, 1961 (the I-T Act) is challenged in this writ petition on the ground that the petitioner did not have a reasonable opportunity to submit supporting documents.

2. Learned counsel for the petitioner submits that the petitioner had entered into a transaction with Gem Edible Oil Private Limited (Gem Edible Oil) for the purchase of edible oil. A sum of Rs.5,43,50,000/- was collected from various third parties and remitted as advance to Gem Edible Oil. Such remittance was made through bank channels. On account of an increase in the price of oil, he submits that the transaction with Gem Edible Oil fell through. Therefore, the advance was refunded to Gem Edible Oil. Because of paucity of time, he submits that Gem Edible Oil could not respond adequately to the notice under Section 133(6) of the I-T Act. He seeks another opportunity.

3. Ms. M.Sheela, learned Senior Panel Counsel (SPC), responds to these contentions by pointing out that a sum of about Rs.10.25 crores was remitted into the petitioner's bank accounts in the State Bank of India and Karur Vysya Bank in financial year 2012 – 2013. In spite of receiving such large deposits, she submits that the petitioner did not file the return of income for such year until proceedings were reopened.

4. The impugned assessment order was issued after considering the petitioner’s reply. Upon receipt of notice under Section 133(6), Gem Edible Oil was unable to provide the requisite documents or clarification. As submitted by learned SPC, even excluding the transaction with Gem Edible Oil, it appears that substantial deposits were received by the petitioner. Thus, factual issues are required to be determined in this matter. The appropriate forum to do so would be the appellate authority.

5. The petitioner filed the writ petition shortly after the impugned order was issued. Therefore, this writ petition is disposed of by leaving it open to the petitioner to file a statutory appeal. If such appeal is filed within thirty days from the date of receipt of a copy of this order, the appellate authority is directed to receive and dispose of the same on merits without going into the question of limitation.

6. The writ petition is disposed of on the above terms. Consequently, connected miscellaneous petitions are closed. There shall be no order as to costs.

25-06-2026

Index : Yes/No
Neutral Citation : Yes/No
KJ

SENTHILKUMAR RAMAMOORTHY, J.

KJ

To

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New Delhi.

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