IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.06.2026

CORAM

THE HON'BLE MR JUSTICE SENTHILKUMAR RAMAMOORTHY

WP No. 22324 of 2026
and
WMP Nos. 24197 & 24199 of 2026

JM Global Trading Pvt Ltd
Represented by its Director, '
Mr. Prayagai Srinivasan Venkatesan,
No.2, Kalingaraya Street,
Royapettah, Chennai,
Tamil Nadu, 600 014

..Petitioner

Vs

The Assistant Commissioner (ST)
Royapettah Assessment Circle,
Integrated Registration and Commercial Taxes
Building, 2nd Floor, Room No.205
Nandanam, Chennai-600 035

..Respondent

Writ Petition filed under Article 226 of the Constitution of India praying to issue a writ of certiorari calling for the records on the files of the Respondent herein in his proceeding in FORM GST DRC 07 with Reference No. ZD331225464560L along with detailed order in GSTIN 33AAACJ1516B1ZF/2018-19 both dated 31.12.2025 and quash the same.

For Petitioner: Ms.S. Vishnupriya

For Respondent: Ms.Amirta Poonkodi Dinakaran,
Government Counsel (Tax)

ORDER

An order dated 31.12.2025 is assailed primarily on the ground of breach of principles of natural justice.

2. Learned counsel for the petitioner submits that about 16% of the tax demand under the impugned order was paid under DRC-03 on 08.11.2024. She also submits that the writ petition was filed within the period of limitation. On the merits, she submits that the input tax credit (ITC) was neither availed of nor utilised by the petitioner and that liability has been imposed merely on the basis that ITC is reflected in the auto populated GSTR 2A.

3. Ms.Amirta Poonkodi Dinakaran, learned Government Counsel (Tax), accepts notice for the respondent. She points out that payment was made voluntarily under sub-Section (5) of Section 74 of the applicable GST statutes and that the tax should be construed as admitted and not disputed.

4. Considering the aforesaid, including the payment of about 16% under DRC - 03 and particularly the assertion that ITC was neither availed of nor utilised, the matter requires reconsideration. Therefore, the impugned order is set aside and the matter is remanded for re-consideration. After providing a reasonable opportunity to the petitioner, a fresh order shall be issued within three months from the date of the petitioner complying with the conditional order.

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

22.06.2026

Index: Yes/No
Neutral Citation: Yes/No
mmi

To

The Assistant Commissioner (ST)
Royapettah Assessment Circle,
Integrated Registration and Commercial Taxes
Building, 2nd Floor, Room No.205
Nandanam, Chennai-600 035

SENTHILKUMAR RAMAMOORTHY, J.

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