IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-02-2026

CORAM

THE HON'BLE MR JUSTICE C. SARAVANAN

WP No. 29327 of 2025
and
WMP Nos.32872 & 32874 of 2025

Engineering and Casting Industries,
Rep. by its Partner, Kumarasamy Govindasamy
Shed No. 102, Sidco Industrial Estate,
Thirumudivakkam, Chennai 600132

..Petitioner(s)

Vs

1. The Deputy State Tax Officer
   Thirumudivakkam Assessmet Circle,
   Integrated Commercial Taxes Department
   Building, (South Tower),
   Block No. 19 T.S No. 2, 3rd Floor,
   Room No. 344, Nandanam, Chennai 600 035.

2. The Deputy Commercial Tax Officer
   Thirumudivakkam-Chengalpattu Jurisdiction
   Integrated Commercial Taxes Department
   Building,
   (South Tower), Block No. 19, T.S. No. 2,
   3rd floor, Room No. 344,
   Nandanam, Chennai 600035

..Respondent(s)

Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorarified Mandamus calling for the records relating to the impugned order Reference No: 33AABFE2246F1Z0/2017-2018 dated 30.10.2023 and Reference No: ZD3310232133270 dated 31.10.2023 issued by the Respondents herein and quash the same and consequentially direct the respondent to reassess the input tax credit in respect of the supply of goods and services claimed by the respondents in Form GSTR3B as the case may be by providing an opportunity to the petitioner.

For Petitioner(s): Ms.Priyadharshini G

For Respondent(s): Mr.C.Harsharaj
Special Government Pleader.

ORDER

In this writ petition, the petitioner is before this Court against the impugned order dated 30.10.2023 for the tax period 2017-2018. By the said impugned order, the proposal made in the Show Cause Notice in DRC-01 dated 26.09.2023 has been confirmed.

2. The demand confirmed against the petitioner arises purely on account of a mistake committed by the petitioner in discharging the tax liability from the Electronic Cash Register. The petitioner ought to have discharged the tax liability in cash in respect of the liability payable under the Reverse Charge Mechanism.

3. The petitioner has now approached this Court as recovery proceedings have been initiated pursuant to the impugned order.

4. Having considered the submissions of the learned counsel for the petitioner and the learned counsel for the respondent, I am inclined to dispose of the writ petition by directing the petitioner to discharge the tax liability

confirmed under the impugned order in cash, without availing Input Tax Credit. Upon such payment being made, the respondent is directed to re-credit the tax amount that was earlier discharged during the disputed period from the Electronic Credit Register.

5. Insofar as the imposition of interest and penalty is concerned, liberty is granted to the petitioner to work out the remedy under Section 120 of the respective GST Enactments.

6. Subject to the petitioner depositing the aforesaid amount, the attachment of the petitioner's bank account shall be lifted. In case sufficient funds are available in the petitioner's bank account, a sum of Rs.3,26,051/- is permitted to be appropriated by the respondent from the petitioner's bank account.

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

20-02-2026

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

AV

To

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C.SARAVANAN, J.

AV

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