



W.P.No.49666 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.01.2026

CORAM :

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.No.49666 of 2025

and

W.M.P.Nos.55507 and 55508 of 2025

Sri Selvaganapathy Steels,
Rep.by Mr.Raja,
No.5-A, Near Lakshmi Devi Theatre,
Royakottai Road,
Krishnagiri-635 109.

... Petitioner

Vs.

The Assistant Commissioner (ST) (FAC),
Hosur (South)-III Assessment Circle,
Integrated Commercial Tax Building,
Ground Floor, Seetharam Medu,
Old Bus Stand,
Hosur-635109.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorari, to call for the records relating to the Order in Form DRC-07 dated 22.06.2024 bearing Reference No.ZD330624222687A issued by the Respondent for the FY 2017-18 and quash the same.

For Petitioner : Mr.Adithya Reddy
For Respondent : Ms.Amirtha Poonkodi Dinakaran,
Government Advocate



W.P.No.49666 of 2025

ORDER

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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 has challenged the impugned Order dated 22.06.2024, which was preceded by a Show Cause Notice in GST DRC-01 dated 08.08.2023 wherein the Petitioner was called upon to appear for personal hearing. However, the Petitioner had not taken advantage of the same and thus, suffered the impugned Order dated 22.06.2024.

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. The present Writ Petition has been filed only on 17.12.2025.



W.P.No.49666 of 2025

5. Under similar circumstances, Orders have been quashed and cases have been remitted back to the Respondent to pass a fresh order on terms subject to such Assessee depositing 25% to 100% of the disputed tax depending upon the length of delay in approaching the Court. I do not find any reason to take a different view in this case.

6. Therefore, to balance the interest of both parties viz., the Assessee and the Revenue, the case is remitted back to the Respondent to pass a fresh order on merits subject to the Petitioner depositing 50% 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.

7. Within such time, the Petitioner shall also file a reply to the Show Cause Notice in GST DRC-01 dated 08.08.2023 together with requisite documents to substantiate the case by treating the impugned Order dated 22.06.2024 as an addendum to the Show Cause Notice dated 08.08.2023.

8. 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)



W.P.No.49666 of 2025

months of such reply/pre-deposit. Subject to the Petitioner complying with the above stipulations, the attachment of the bank account of the Petitioner shall also stand automatically vacated.

9. It is made clear that bank attachment shall be lifted subject to the deposit of 50% of the disputed tax as ordered above and the Petitioner is not in arrears of any amount barring the amount demanded under the impugned Order.

10. 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.

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



W.P.No.49666 of 2025

WEB COPY 12. This Writ Petition stands disposed of with the above observations.

No costs. Connected Writ Miscellaneous Petitions are closed.

02.01.2026

nvi

To:

The Assistant Commissioner (ST) (FAC),
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W.P.No.49666 of 2025

C.SARAVANAN, J.

nvi

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