



W.P.(MD)Nos.3342 to 3347 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 06.02.2026

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THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

W.P.(MD)Nos.3342 to 3347 of 2026
& W.M.P(MD)Nos.2759, 2761, 2766, 2768, 2764, 2767, 2760, 2763,
2769, 2770, 2762 & 2765 of 2026

M/s.Praveen Constructions
5/12/6B, Chinna Pathirakaliyamman Koil Street
Keelakadayam - 627415
Rep. by its Proprietor Mr.Ramkumar

... Petitioner in all petitions

Vs.

The State Tax Officer
Ambasamudram Assessment Circle
Tirunelveli

... Respondent in all petitions

Common Prayer:

Writ Petition filed under Article 226 of the Constitution of India
praying to issue a Writ of Certiorarified Mandamus,

calling for the records of the Respondent leading to issuance of
Impugned Order dated 06.01.2025 vide GSTIN 33BETPR4393K
2ZN /2018-2019 and quash the same and direct the Respondent to pass
order after providing an opportunity to the Petitioner to file its Reply and
personal hearing.



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calling for the records of the Respondent leading to issuance of Impugned Order dated 30.01.2025 vide GSTIN – 33BETPR4393K 2ZN/2019-2020 and quash the same and direct the Respondent to pass order after providing an opportunity to the Petitioner to file its Reply and personal hearing

calling for the records of the Respondent leading to issuance of Impugned Order dated 28.01.2025 vide GSTIN 33BETPR4393K 2ZN /2020-2021 and quash the same and direct the Respondent to pass order after providing an opportunity to the Petitioner to file its Reply and personal hearing

calling for the records of the Respondent leading to issuance of Impugned Order dated 30.01.2025 vide GSTIN – 33BETPR4393K 2ZN /2021-2022 and quash the same and direct the Respondent to pass order after providing an opportunity to the Petitioner to file its Reply and personal hearing

calling for the records of the Respondent leading to issuance of Impugned Order dated 30.01.2025 vide GSTIN 33BETPR4393K 2ZN /2022-2023 and quash the same and direct the Respondent to pass order after providing an opportunity to the Petitioner to file its Reply and personal hearing

calling for the records of the Respondent leading to issuance of Impugned Order dated 30.01.2025 vide GSTIN 33BETPR4393K 2ZN /2023-2024 and quash the same and direct the Respondent to pass order after providing an opportunity to the Petitioner to file its Reply and personal hearing



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For Petitioner
in all petitions : Mr.S Sathyanarayanan

For Respondent
in all petitions : Mr.R.Suresh Kumar, AGP

COMMON ORDER

These writ petitions have been filed challenging the 6 impugned orders dated 06.01.2025, 30.01.2025, 28.01.2025, 30.01.2025, 30.01.2025 & 30.01.2025 passed by the respondent.

2. Mr.R.Suresh Kumar, learned Additional Government Pleader, takes notice on behalf of the respondent.

3. By consent of the parties, the main writ petitions are taken up for disposal at the admission stage itself.

4. The learned counsel for the petitioner would submit that in these cases, all notices/communications were uploaded by the respondent in the GST common portal. Since the petitioner was not aware of the said notices, they failed to file their reply within the time. Under these



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circumstances, the impugned orders came to be passed by the respondent without providing any opportunity of personal hearing to the petitioner.

Therefore, this petition has been filed.

5. Further, he would submit that now, the petitioner is willing to pay 25% of the disputed tax amount, in each case, to the respondent. Hence, he requests this Court to grant an opportunity to the petitioner to present their case before the respondent by setting aside the impugned orders.

6. On the other hand, the learned Additional Government Pleader appearing for the respondent would submit that the respondent had uploaded the notices in the GST Online Portal. But the petitioner failed to avail the said opportunity. Further, he has fairly admitted that no opportunity of personal hearing was provided to the petitioner prior to the passing of impugned orders. Therefore, he requested this Court to remit the matters back to the respondent, subject to the payment of 25% of the disputed tax amount as agreed by the petitioner.



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7. Heard the learned counsel for the petitioner and the learned Additional Government Pleader for the respondent and also perused the materials available on record.

8. In the cases on hand, it is evident that the show cause notice was uploaded on the GST Portal Tab. According to the petitioner, he was not aware of the issuance of the said show cause notice issued through the GST Portal and the original of the said show cause notice was not furnished to them. In such circumstances, this Court is of the view that the impugned assessment order came to be passed without affording any opportunity of personal hearing to the petitioner, confirming the proposals contained in the show cause notice.

9. No doubt, sending notice by uploading in portal is a sufficient service, but, the Officer who is sending the repeated reminders, inspite of the fact that no response from the petitioner to the show cause notices etc., the Officer should have applied his/her mind and explored the possibility of sending notices by way of other modes prescribed in



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Section 169 of the GST Act, which are also the valid mode of service under the Act, otherwise it will not be an effective service, rather, it would only fulfilling the empty formalities. Merely passing an *ex parte* order by fulfilling the empty formalities will not serve any useful purpose and the same will only pave way for multiplicity of litigations, not only wasting the time of the Officer concerned, but also the precious time of the Appellate Authority/Tribunal and this Court as well.

10. Thus, when there is no response from the tax payer to the notice sent through a particular mode, the Officer who is issuing notices should strictly explore the possibilities of sending notices through some other mode as prescribed in Section 169(1) of the Act, preferably by way of RPAD, which would ultimately achieve the object of the GST Act. Therefore, this Court finds that there is a lack of opportunities being provided to serve the notices/orders etc., effectively to the petitioner.

11. Further, it was submitted by the learned counsel for the petitioner that now, the petitioner is willing to pay 25% of the disputed tax amount, in each case, to the respondent. In such view of the matter,



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this Court is inclined to set aside all the 6 impugned orders dated 06.01.2025, 30.01.2025, 28.01.2025, 30.01.2025, 30.01.2025 & 30.01.2025 passed by the respondent. Accordingly, this Court passes the following order:-

(i) The impugned orders dated 06.01.2025, 30.01.2025, 28.01.2025, 30.01.2025, 30.01.2025 & 30.01.2025 are set aside and the matters are remanded to the respondent for fresh consideration on condition that the petitioner shall pay 25% of the disputed tax amount, in each case, to the respondent within a period of four weeks from the date of receipt of a copy of this order. The setting aside of the impugned order will take effect from the date of payment of the said amount.

(ii) The petitioner shall file their reply/objection along with the required documents, if any, within a period of three weeks from the date of payment of amount as stated above.

(iii) On filing of such reply/objection by the petitioner, the respondent shall consider the same and issue a 14 days clear notice, by fixing the date of personal hearing, to the petitioner and thereafter, pass appropriate orders on merits and in accordance with law, after hearing the petitioner, as expeditiously as possible.



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12. With the above directions, these writ petitions are disposed of.

No costs. Consequently, the connected miscellaneous petitions are also closed.

06.02.2026

Speaking/Non-speaking order

Index : Yes / No

Neutral Citation : Yes / No

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To

The State Tax Officer
Ambasamudram Assessment Circle
Tirunelveli



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KRISHNAN RAMASAMY.J.,

nsa

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