BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.02.2026

CORAM

THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

W.P.(MD)No.2716 of 2026
& W.M.P(MD)No.2306 of 2026

Thamimul Ansari
1/22K, Jamiya Majjith Trust
Main Road Ayyappadi
Thirukkalacherry, Nagapattinam
Tamil Nadu, 609312.

... Petitioner

Vs.

1. The Superintendent
Thiruvarur range, Mailaduthrai
Tamil Nadu.

2. The Joint Commissioner (Appeals)
O/O. the commissioner of GST and Central Excise (Appeals)
Coimbatore, Circuit office at Trichy
No 1, Williams road, Cantonment Trichy
Tamil Nadu- 620001.

... Respondents

Prayer:

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned Order for Cancellation of Registration vide Form GST REG -19 bearing Ref No ZA330124053587N dated

11.01.2024, passed by the 1st respondent along with consequential proceeding of Order of rejection of application in appellate authority vide order-in-Appeal No. TRY-CGST-JC-APP-76/2025 dated 31.10.2025 passed by the 2nd Respondent and quash the same, and direct the 2nd Respondent to restore the GST registration of the Petitioner vide GSTIN 33BBKPT2066F1ZM

For Petitioner : Ms.R. Hemalatha

For Respondent : Mr.R.Gowri Shankar

ORDER

This writ petition has been filed challenging impugned order dated 11.01.2024 and the appeal order dated 31.10.2025 passed by the respondents.

2. Mr.R.Gowri Shankar, learned counsel, takes notice on behalf of the respondents.

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

4. The learned counsel for the petitioner would submit that due to health problems, no returns were filed by the petitioner for a period of 6 months. Under these circumstances, the GST Registration of the petitioner was cancelled by the respondent vide order dated 11.01.2024. Aggrieved over the same, an appeal was preferred by the petitioner. However, the said appeal was also rejected by the respondent, vide impugned rejection order dated 31.10.2025, on the aspect of limitation.

5. Further, he would submit that now, the petitioner is willing to file his GST returns and pay the entire tax liabilities along with applicable interest and penalty, if any. Hence, he requests this Court to revoke the order passed by the respondent for cancellation of GST Registration of the petitioner.

6. In reply, the learned counsel appearing for the respondent confirms that the GST registration of the petitioner was cancelled by the respondent vide impugned order dated 11.01.2024 and requests this Court to pass an appropriate order.

7. Heard the learned counsel for the petitioner and the learned counsel for the respondents and also perused the materials available on record.

8. In this case, the GST registration of the petitioner was cancelled by the respondent vide the impugned order dated 11.01.2024, against which, an appeal was preferred by the petitioner. However, the said appeal was also rejected by the respondent, vide order dated 31.10.2025, on the aspect of limitation. According to the petitioner, due to financial and health problems, he was unable to file GST returns for a period of 6 months. Under these circumstances, the GST Registration was cancelled by the petitioner vide impugned order dated 11.01.2024. In such case, the reason assigned by the petitioner, in the considered opinion of this Court, appears to be genuine.

9. In view of the above, this Court is inclined to quash the appeal rejection order dated 31.10.2025 and revoke the impugned order dated 11.01.2024 passed by the respondent canceling the GST registration of the petitioner. Accordingly, the rejection order dated 31.10.2025 is

hereby quashed and the cancellation of registration is hereby revoked, subject to the fulfillment of the following conditions:

(i) The respondent shall take suitable steps by instructing GST Network, New Delhi to make suitable changes in the architecture of the GST Web portal to allow the petitioner to file the returns and to pay the tax/penalty/fine, within a period of four weeks therefrom.

(ii) The petitioner is directed to file returns for the period till date, if not filed, together with tax dues along with interest thereon and the fee fixed for belated filing of returns within a period of 4 weeks from the date of restoration of GST Registration of the petitioner.

(iii) It is made clear that such payment of tax, interest, fine/fee etc. shall not be allowed to be made or adjusted from and out of any Input Tax Credit (ITC) which may be lying unutilized or unclaimed in the hands of the petitioner.

(iv) If any ITC has remained unutilized, it shall not be utilised until it is scrutinized and approved by an appropriate or competent officer of the Department.

(v) Only such approved ITC shall be allowed to be utilized thereafter for discharging future tax liability under the Act and Rules.

(vi) If any ITC was earned, it shall be allowed to be utilised only after scrutinising and approving by the respondent or any other competent authority.

(vii) If any of the aforesaid conditions is not complied with by the petitioner, the benefit granted under this order will automatically ceased to operate.

10. With the above directions, this writ petition is disposed of. No cost. Consequently, the connected miscellaneous petition is also closed.

02.02.2026

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

To

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O/O. the commissioner of GST and Central Excise (Appeals)
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KRISHNAN RAMASAMY.J.,

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