BEFORE THE MADURAI BENGH OF MADRAS HIGH COURT

DATED: 20.02.2026

CORAM

THE HONOURABLE MR. JUSTICE KRISHNAN RAMASAMY

W.P.(MD)Nos.4761, 4762 and 4763 of 2026
and
W.M.P.(MD).Nos.3978, 3980, 3981, 3982, 3983, 3985, 3988, 3989 and 3991 of 2026

W.P.(MD).No.4761 of 2026

M.Palanikumar ... Petitioner

Vs

1.The Deputy Commissioner (Appeal),
TNGST,
Commercial Tax Complex,
Dr.Thangaraj Salai,
Madurai.

2.The Assistant Commissioner (ST), FAC,
Thirupparankudram Circle,
Dr.Thangaraj Salai,
Commercial Taxes Complexes,
Third Floor,
Madurai-625 020.

3.The Deputy Commercial Tax Officer,
Thirupparankundram,
Madurai West,
Madurai. ... 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 of the impugned order passed by the third respondent in Reference No.ZD330126206719H dated 30.01.2026 and quash the same and consequently directing the respondents to drop all further proceedings initiated on the basis of the impugned order passed by the third respondent in Reference No.ZD330126206719H dated 30.01.2026.

For Petitioner : Mr.R.Aravindan

For Respondents : Mr.R.Suresh Kumar,
Additional Government Pleader

W.P.(MD).No.4762 of 2026

M.Palanikumar ... Petitioner

Vs

1.The Deputy Commissioner (Appeal),
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3.The Deputy Commercial Tax Officer,
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Madurai West,
Madurai. ... 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 of the impugned order passed by the third respondent in Reference No.ZD330126206864K dated 30.01.2026 and quash the same and consequently directing the respondents to drop all further proceedings initiated on the basis of the impugned order passed by the third respondent in Reference No.ZD330126206864K dated 30.01.2026.

For Petitioner : Mr.R.Aravindan

For Respondents : Mr.R.Suresh Kumar,
Additional Government Pleader

W.P.(MD).No.4763 of 2026

M.Palanikumar ... Petitioner

Vs

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3.The Deputy Commercial Tax Officer,
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Madurai. ... 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 of the impugned order passed by the third respondent in Reference No.ZD330126206927G dated 30.01.2026 and quash the same and consequently directing the respondents to drop all further proceedings initiated on the basis of the impugned order passed by the third respondent in Reference No.ZD330126206927G dated 30.01.2026.

For Petitioner	:	Mr.R.Aravindan
For Respondents	:	Mr.R.Suresh Kumar, Additional Government Pleader

COMMON ORDER

These Writ Petitions have been filed challenging the impugned orders passed by the third respondent dated 30.01.2026.

2. The learned counsel appearing for the petitioner would submit that the impugned orders relate to the assessment years 2020–21, 2021–22 and 2022–23. It is submitted that the petitioner's GST registration had already been cancelled with effect from 01.09.2019 and thereafter the petitioner had not carried on any business. Therefore, according to the petitioner, the levy made for the subsequent years is unsustainable. It is further submitted that since the proceedings were uploaded in the portal and the petitioner was not actively carrying on business, he was not aware of the same. Hence, without proper application of mind and

without affording effective opportunity, the impugned orders came to be passed.

3. The learned Additional Government Pleader appearing for the respondents would submit that there are sufficient materials to show that the petitioner had carried on business activities during the relevant period and that the levy pertains to seigniorage fee and royalty. Therefore, the impugned orders were passed based on available records.

4. This Court has considered the submissions made on either side.

5. The issue involved in these writ petitions relates to the levy of seigniorage fee and royalty for the assessment years 2020–21, 2021–22 and 2022–23. It is also brought to the notice of this Court that the larger issue with regard to such levy is pending consideration before the Hon'ble Apex Court.

5. Insofar as the present case is concerned, though the petitioner contends that his registration stood cancelled with effect from 01.09.2019, the fact remains that the impugned orders have been passed on the basis of certain materials available with the Department. In the

interest of justice, this Court is inclined to grant one more opportunity to the petitioner to put forth his objections on merits.

6. Accordingly, the impugned orders dated 30.01.2026 passed by the third respondent are set aside, subject to the condition that the petitioner shall remit 10% of the disputed tax amount in respect of each assessment year within a period of three (3) weeks from the date of receipt of a copy of this order.

7. Upon such payment, the matter shall stand remitted to the third respondent. The petitioner shall file his detailed reply/objections within a period of three (3) weeks thereafter. The third respondent shall afford an opportunity of personal hearing to the petitioner and pass fresh orders on merits and in accordance with law, taking into consideration the pendency of the issue before the Hon'ble Apex Court.

8. With the above observations, these Writ Petitions stand disposed of. No costs. Consequently, the connected miscellaneous petitions are closed.

20.02.2026

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

To

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Madurai.

KRISHNAN RAMASAMY, J.

TSG

W.P.(MD)Nos.4761 to 4763 of 2026

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