



W.P(MD)No.6150 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 06.03.2026

CORAM

**THE HONOURABLE MR JUSTICE D.BHARATHA
CHAKRAVARTHY**

W.P(MD)No.6150 of 2026

M/s.M.K.Tools
Represented by its Proprietor
T.Mangayarkarasi
GSTIN 33BMKPM9564N1Z8
2, Fifty Feet Road, Sellur
Madurai.

... Petitioner

Vs.

The Assistant Commissioner
K.K.Nagar Assessment Circle,
Commercial Tax Building,
Madurai.

...Respondent

Writ Petition is filed under article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, to call for the records on the file of the respondent in Reference No.ZA330624032756J dated 10.06.2024 and to quash the same as illegal, arbitrary and direct the respondent to revoke the cancellation of petitioners GSTIN registration No.33BMKPM9564N1ZB within such time as may be directed by this Court.



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For Petitioner
For Respondent

:Mr.S.Karunakar
:Mr.R.Sureshkumar
Additional Government Pleader

ORDER

The prayer in the writ petition is to quash the order dated 10.06.2024 and to the respondent to revoke the cancellation of petitioners GSTIN registration No.33BMKPM9564N1ZB.

2.When the matter is came up for hearing today, both the learned counsel are *ad idem* that the matter is covered by the judgment of this Court in ***Tvl.Suguna Cutpiece Center -vs-The Appellate Deputy Commissioner(ST)(GST), Salem and Erode, Commercial Taxed Building, Pitchards Road, Salem-7(W.PNos.25048 of 2021 etc batch cases).***

3.The operative portion of Para No.229 of the said order is extracted hereunder:

“.....

229. In the light of the above discussion, these Writ Petitions are allowed subject to the following conditions:-

(i).The petitioners are directed to file their returns for the period prior to the cancellation of registration, if such



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returns have not been already filed, together with tax defaulted which has not been paid prior to cancellation along with interest for such belated payment of tax and fine and fee fixed for belated filing of returns for the defaulted period under the provisions of the Act, within a period of forty five (45) days from the date of receipt of a copy of this order, if it has not been already paid.

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

(iii).If any Input Tax Credit has remained utilized, it shall not be utilised until it is scrutinized and approved by an appropriate or a competent officer of the Department.

(iv).Only such approved Input Tax Credit shall be allowed for being utilized thereafter for discharging future tax liability under the Act and Rule.

(v).The petitioners shall also pay GST and file the returns for the period subsequent to the cancellation of the registration by declaring the correct value of supplies and payment of GST shall also be in cash.

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

(vii).The respondents may also impose such restrictions / limitation on petitioners as may be warranted to ensure that there is no undue passing of Input Tax Credit pending such exercise and to ensure that there is no violation or an attempt to do bill trading by taking advantage of this order.

(viii).On payment of tax, penalty and uploading of returns, the registration shall stand revived forthwith.

(ix).The respondents shall take suitable steps by instructing GST Network, New Delhi to make suitable changes in the architecture of the GST Web portal to allow these petitioners to file their returns and to pay the tax/penalty/fine.

(x). The above exercise shall be carried out by the



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respondents within a period of thirty (30) days from the date of receipt of a copy of this order.

(xi).No cost.

(xii).Consequently, connected Miscellaneous Petitions are closed."

4.In view thereof, the impugned order dated 10.06.2024 is set aside and this writ petition is allowed on the same terms as extracted above. No costs.

06.03.2026

NCC:Yes/No

Ns

To
The Assistant Commissioner
K.K.Nagar Assessment Circle,
Commercial Tax Building,
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D.BHARATHA CHAKRAVARTHY, J.

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