BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.04.2026

CORAM:

THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P(MD)No.11694 of 2026
and
W.M.P(MD)No.8907 of 2026

Dindigul Chamber of Commerce,
Represented by its Secretary,
T.Leo Pradeep,
S/o.Tharmarajan,
No.51-B, Church Building (Upstairs) Dindigul,
Dindigul – 624 001. ... Petitioner

vs.

Commissioner of Income Tax (Exemption),
Income Tax Department,
Ministry of Finance,
Chennai. ... Respondent

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorari, calling for the records pertaining to the impugned order passed by the respondent in DIN and Notice No.ITBA/EXM/F/EXM45/2025-26/1088060321(1), dated 28.03.2026 and quash the same.

For Petitioner : Mr.T.Bashyam

For Respondent :Mr.N.Dilip Kumar
Senior Standing Counsel

ORDER

The Writ Petition is filed challenging the impugned order dated 28.03.2026. This is an order refusing registration and grant of exemption to the petitioner, which is a Chamber of Commerce, passed under Section 12AB of the Income Tax Act, 1961.

2.Heard Mr.T.Bashyam, learned counsel appearing for the petitioner and Mr.N.Dilip Kumar, learned Senior Standing Counsel, who takes notice for the respondent.

3.Upon hearing the learned counsel for the petitioner, it is submitted that the petitioner, being the Chamber of Commerce, is entitled to exemption under Section 80G of the Income Tax Act, 1961. While so, when they applied for registration, notices were issued to them seeking certain clarifications and supporting documents. The petitioner could not avail the opportunity. Under the said circumstances, a show cause notice also seems to have been issued and since there was no explanation, the impugned order is passed ex parte.

4.The learned counsel would submit that only for the reasons mentioned in the affidavit, the petitioner could not participate in the proceedings. However, the objectives of the petitioner are regarding helping of poor and promoting social activities and there was no intention to evade any tax or take undue advantage.

5.Per Contra, the learned Senior Standing Counsel appearing on behalf of the respondent would submit that it is for the petitioner/assessee to satisfy that the they are entitled for registration and also to substantiate the other facts by producing documentary support in tune to their claim. In spite of opportunities being given three times, the petitioner did not avail of those opportunities.

6.I have considered the rival submissions made on either side and perused the materials record of the case.

7.The first factor, ie., taken into consideration by this Court, is that the petitioner is a Chamber of Commerce and the matter does not concern with the payment of tax or evasion therefor.

8.Considering the above and considering the reasons submitted by the learned counsel for the petitioner, even though there was an error committed on behalf of the petitioner, I am of the view that the petitioner deserves an opportunity.

9.In view thereof, the Writ Petition is allowed on the following terms:

i. The impugned order dated 28.03.2026 shall stands set aside.

ii. The matter is remanded back to the file of the respondent within a period of two weeks from the date of receipt of the web copy of the order.

iii. The petitioner shall file such reply and also such document in proof of its claim.

iv. It is for the respondent to consider the same and pass orders in accordance with law thereafter.

No costs. Consequently, connected Miscellaneous Petition is closed.

22.04.2026
(1/2)

NCC : Yes / No
ps

To

Commissioner of Income Tax (Exemption),
Income Tax Department,
Ministry of Finance,
Chennai.

D.BHARATHA CHAKRAVARTHY, J.

ps

W.P(MD)No.11694 of 2026

22.04.2026
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