BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 10.06.2026

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THE HONOURABLE MR JUSTICE D.BHARATHA CHAKRAVARTHY

W.P(MD)No.15500 of 2026
and
W.M.P(MD)No.11602 of 2026

Tvl Enfive Systems Private Limited,
Represented by its Director S.Sasikanth,
S/o.Seenivasan,
No.10, Samarappanam, N.S.Nagar,
Natham Main Road, Ponnagaram,
Dindigul-624 003 ... Petitioner(s)

- Vs. -

1.The Commissioner of Commercial Taxes,
O/o.The Principal and Special Commissioner of Commercial Taxes,
Ezhilagam, Chepauk, Chennai-600 005

2. The State Tax Officer Dindigul (Rural) Assessment Circle,
Commercial Taxes Building,
Sub-Collectors Office Road,
Dindigul-624 001 ... Respondent(s)

Prayer : Writ Petition is filed under Article 226 of the Constitution of India, praying this Court Writ Petition, filed under Article 226 of the Constitution of India, praying this court to issue a Writ of Certiorari calling for records pertaining to impugned order of the 2nd respondent in Ref.No.ZD3311254884673/2021-22 dated 28.11.2025 and quash the same and pass such further or other orders as this Honble Court may deem fit and proper in the circumstances of the case and thus render justice.

For Petitioner	:Mr.B.Rooban
For Respondents	:Mr.R.Parthiban Government Standing Counsel

ORDER

This writ petition challenges the impugned order dated 28.11.2025 which is an assessment order passed under Section 73 of the GST Act 2017.

2.I have heard the learned counsel for the petitioner and the learned Government Standing Counsel appearing for the respondents.

3.By the impugned order, the assessment was made ex-parte because the petitioner did not utilise the opportunities provided. The discrepancies and grounds on which the assessment order was issued, the dealer's explanation on merits, and the reasons for not participating in the assessment proceedings are summarised briefly and presented in a table below:

Discrepancies found/grounds on which the order is passed	Explanation offered by the Assessee on merits	Explanation for not availing the opportunity
-Alleged suppression on difference between GSTR-1 and GSTR-9(TDS)	No such difference or short payment -Works Contractor- Road work maintenance -the date of reporting by petitioner and Government department differs based on allotment, completion of work and honoring of bill	-Ex-parte order -Notices and impugned order tendered only through portal – left unnoticed

4.Considering the nature of the discrepancies noted, the explanation provided by the assessee and the reason given before this Court for not availing the opportunity, I believe that an opportunity can be granted to the assessee to present their submissions and produce the relevant supporting documents before the respondent assessing officer. This Court has been extending such opportunities on equitable grounds; however under appropriate conditions. Therefore, an opportunity is granted to the petitioner assessee.

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

(i)Within a period of four weeks from the date of receipt of web copy of the order, the petitioner shall deposit 25% of the disputed tax amount with the respondent, without waiting for a certified copy of the order.

(ii)Upon such deposit, the impugned order dated 28.11.2025 shall stand set aside, and the matter shall stand remanded back to the file of the respondent.

(iii)The assessee shall appear before the respondent without fail and submit their reply and documents in support of their claim, and it is for the respondent to consider the matter afresh and pass orders in accordance with law.

(iv)Since the impugned order of assessment is set aside, any attachment of the bank account made pursuant to the impugned order shall raised.

(v)No costs. Consequently, connected miscellaneous petition is closed.

10.06.2026

NCC:Yes/No

To

1.The Commissioner of Commercial Taxes,
O/o.The Principal and Special Commissioner of Commercial Taxes,
Ezhilagam, Chepauk, Chennai-600 005

2. The State Tax Officer Dindigul (Rural) Assessment Circle,
Commercial Taxes Building,
Sub-Collectors Office Road,
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D.BHARATHA CHAKRAVARTHY, J.

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