IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-03-2026

CORAM

THE HON'BLE MR JUSTICE C. SARAVANAN

WP No. 9296 of 2026
and
WMP Nos. 10009 & 10010 of 2026

Ms Imayam Precast
Rep by its Propietor Parthiban Sudarsan,
No.522, Near Bharat Petroleum,
Avinashi Main Road, Kanjapalli Annur,
Coimbatore 641 653

..Petitioner(s)

Vs

Deputy State Tax officer-1
Office of the Deputy commercial Tax officer
Annur Assessment circle, Annur

..Respondent(s)

Writ Petition filed under Article 226 of the Constitution of India, pleased to issue a Writ of Certiorari, to call for the records relating to the impugned proceedings passed by the Respondent in the order vide GSTIN33DAJPS5362B1ZR/2021-2022, dated 18.11.2025 along with the consequential order under Section 73 of TNGST/CGST Act, 2017 issued vide FORM DRC-07 Ref. No. ZD331125304119V dated 18.11.2025 for the financial year 2021-2022 to quash the same.

For Petitioner(s):	M/s. M. Priya Dharshini
For Respondent(s):	Mr. T.N.C. Kaushik, Additional Government Pleader

ORDER

Mr. T.N.C. Kaushik, learned Additional Government Pleader takes notice for the Respondent.

2. This Writ Petition is being disposed of at the stage of admission itself with the consent of the learned counsel for the Petitioner and the learned Additional Government Pleader for the Respondent.

3. In this Writ Petition, the Petitioner has challenged the impugned order dated 18.11.2025, which was preceded by a Show Cause Notice in GST DRC-01 dated 26.08.2025, wherein the Petitioner was called upon to appear for personal hearing. However, the Petitioner had not taken advantage of the same and thus, suffered the impugned Order dated 18.11.2025.

4. It is noticed that the limitation for filing an appeal under Section 107 of the respective GST enactments, 2017, against the impugned Order has already expired but within the condonable period of limitation. The present Writ Petition has been filed only on 04.03.2026.

5. At this stage, the learned counsel for the Petitioner submits that the Petitioner is willing to pre-deposit 10% of the disputed tax as a condition for *denovo* adjudication.

6. The learned counsel for the Petitioner has also made the following endorsement to that effect in the Court bundle which has been extracted hereunder:-

"The Petitioner is ordered to pay 10% and the matter remit back to the Authority."

7. Under similar circumstances, this Court has, in several cases, quashed the impugned orders and remitted the matter back to the Respondent to pass fresh orders on terms, subject to the Assessee depositing 25% to 100% of the disputed tax, depending upon the length of delay in approaching the Court. I do not find any reason to take a different view in this case.

8. Therefore, to balance the interest of both parties viz., the Assessee and the Revenue, the case is remitted back to the Respondent to pass a fresh order on merits subject to the Petitioner depositing 10% of the disputed tax in cash or from the Petitioner's Electronic Cash Register within a period of thirty (30) days from the date of receipt of a copy of this order.

9. Within such time, the Petitioner shall also file a reply to the Show Cause Notice in GST DRC-01 dated 26.08.2025, together with requisite documents to substantiate the case, by treating the impugned Order dated 18.11.2025 as an addendum to the Show Cause Notice dated 26.08.2025.

10. In case the Petitioner complies with the above stipulations, the Respondent shall proceed to pass a final order on merits and in accordance with law as expeditiously as possible, preferably, within a period of three (3) months

of such reply/pre-deposit. Subject to the Petitioner complying with the above stipulations, the attachment of the bank account of the Petitioner, if any, shall also stand automatically vacated.

11. It is made clear that bank attachment shall be lifted subject to the Petitioner depositing 10% of the disputed tax as ordered above, and the Petitioner not being in arrears of any other amount for any other tax period barring the amount demanded under the impugned Order dated 18.11.2025.

12. In case the Petitioner fails to comply with any of the stipulations, the Respondent is at liberty to proceed against the Petitioner to recover the tax in accordance with law, as if this Writ Petition was dismissed *in limine* today.

13. Needless to state, before passing any such order, the Respondent shall give due notice to the Petitioner.

14. This Writ Petition stands disposed of with the above observations. No costs. Consequently, connected miscellaneous petitions are closed.

09-03-2026

Neutral Citation: Yes/No
klt

To

The Deputy State Tax officer-1,
Office of the Deputy commercial Tax Officer,
Annur Assessment Circle, Annur.

C.SARAVANAN, J.

klt

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