IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-04-2026

CORAM

THE HON'BLE MR JUSTICE C. SARAVANAN

WP Nos. 16049 & 16055 of 2026
and
WMP Nos.17293 & 17298 of 2026

M/s. Kannan Agencies,
Rep by its Proprietor Prakash Govindarajan
Old No.28.28-A, New No.98,
Gayathriamman Kovil Street,
Chidambaram, Cuddalore,
Tamil Nadu-608 001

..Petitioner
(in both cases)

Vs

The State Tax Officer Inspection VI
Office of the Commercial Tax Officer,
No.1, Vallalar Nagar, Majakuppam,
Cuddalore-607 001

..Respondent
(in both cases)

Prayer in WP.No.16049 of 2026: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Certiorari, to call for the records relating to the impugned proceedings passed by the Respondent in the order vide GSTIN vide GSTIN 33AAFFK9892F1Z0/ 2025-2026, dated 24.02.2026. along with Consequential order through FORM GST DRC-07 dated 24.02.2026 under Section 74 of the act for the financial year 2025-2026, to quash the same.

Prayer in WP.No.16055 of 2026: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Certiorari, to call for the records relating to the impugned proceedings initiated by the Respondent in the impugned order in FORM GST DRC - 07 bearing ref No. ZD330226212109U dated 24.02.2026 along with Annexure vide GSTIN/Period 33AAFFK9892F1Z0/ 2023-24 Dated 24.02.2026 passed by the respondent for the AY 2023-24 and to quash the same.

For Petitioner(s):	Mr. J.R. Devanand
For Respondent(s):	Mr. C. Harsharaj, Special Government Pleader

COMMON ORDER

Mr. C. Harsharaj, learned Special Government Pleader, takes notice for the Respondent.

2. These Writ Petitions are being disposed of at the stage of admission itself, with the consent of the learned counsel for the Petitioner and the learned Special Government Pleader appearing for the Respondent.

3. The Petitioner is before this Court against the respective Impugned Orders dated 24.02.2026, whereby the proposals in the Show Cause Notices dated 13.11.2025 have been confirmed in the absence of reply.

4. It is the specific case of the Petitioner that the credit notes issued by the Petitioner were indeed furnished, however, the same have not been considered by the Respondent while passing the above said Impugned Orders dated 24.02.2026.

5. The learned counsel for the Petitioner submitted that the Petitioner is ready to satisfy the demand confirmed in the respective Impugned Orders, if the case may be remitted back to the Respondent, enabling the Petitioner to file proper replies along with necessary relevant documents.

6. He further submits that the Petitioner is willing to deposit 10% of the disputed tax as a condition for *denovo* adjudication. An endorsement has also been made in both bundles by the learned counsel for the Petitioner. The said endorsement reads as under:-

> "In W.P.No.16049 of 2026:
>
> *I do hereby consent to deposit 10% of the disputed tax*
>
> In W.P.No.16055 of 2026:
>
> *I, counsel for the Petitioner do hereby consent to deposit 10% of the disputed tax."*

7. The learned Special Government Pleader for the Respondent has no objection to the above arrangement.

8. Recording the above consent, the Impugned Orders dated 24.02.2026 are set aside and the cases are remitted back to the Respondent for fresh consideration and to pass a fresh order on merits, after affording opportunity of personal hearing to the Petitioner, 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.

8. Within such time, the Petitioner shall also file a reply to the Show Cause Notice dated 13.11.2025 together with requisite documents to substantiate the case by treating the Impugned Order dated 24.02.2026 as an addendum to the Show Cause Notice dated 13.11.2025.

9. 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.

10. 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.

11. 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.

12. Needless to state, before passing any such order, the Respondent shall issue due notice to the Petitioner and afford an opportunity of personal hearing to the Petitioner.

13. This Writ Petitions stand disposed of with the above observations. No costs. Consequently, connected miscellaneous petitions are also closed.

24-04-2026

Neutral Citation: Yes/No
klt

To
The State Tax Officer Inspection VI
Office of the Commercial Tax Officer,
No.1, Vallalar Nagar, Majakuppam,
Cuddalore-607 001.

C.SARAVANAN, J.

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