Case Citation: (2026) taxcode.in 1691 HC

Order QR

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-09-2026

CORAM

THE HONOURABLE MR.JUSTICE HEMANT CHANDANGOUDAR

WP No.7941 of 2025

CNR:{HCMA010491852025}

M/s.TD Power Systems Limited
Represented by its Senior Officer
Finance Mr. B.S. Suvarna Kumar No.
27, 28 and 29, KIADB Industrial Area,
Dabaspet, Nelamangala Taluk,
Bengaluru Rural District
Bengaluru 562 111.

Petitioner(s)

Vs

1. The Commissioner of Customs
Chennai IV Commissionerate
Custom House, No 60 Rajaji Salai,
Chennai 600 001.

2.The Deputy/Assistant Commissioner of Customs
Refunds
Custom House, No. 60, Rajaji Salai,
Chennai 600 001.

3.The Deputy Commissioner of Customs Exports,
Chennai IV Commissionerate
Custom House, No. 60, Rajaji Salai,
Chennai 600 001.

https://www.mhc.tn.gov.in/judis

www.taxcode.in

Case Citation: (2026) taxcode.in 1691 HC

Order QR

WEB COPY

4.The Assistant Commissioner of Commercial Taxes,
LGSTO-66, 1st Floor, K.I.A.D.B. Building, 14th
Cross, 2nd State, Peenya, Bangalore - 560 058.
(R4 IMPLEADED VIDE ORDER DATED 02.03.2026 MADE IN WMP.28539/2025 IN WP.7941/2025)

Respondent(s)

Prayer: This Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, direct the respondents, more particularly the 2nd respondent to sanction the IGST refund with respect to manual Shipping No.117972 dated 14.03.2019 with applicable interest within a time bound manner.

For Petitioner : Mr.Derrick Sam

For Respondents : Mr.M.Santhanaraman for R1 to R3
Senior Standing Counsel
Mr.S.M.Deenadayalan for R4
Senior Standing Counsel

ORDER

The petitioner has approached this Court seeking a direction to the respondents, particularly the second respondent, to sanction the refund of Integrated Goods and Services Tax (IGST) in respect of Manual Shipping Bill No.117972 dated 14.03.2019, along with applicable interest.

https://www.mhc.tn.gov.in/judis

www.taxcode.in

WEB COPY

2. The petitioner states that, in the course of its business, it filed Shipping Bill No.9009011 dated 29.09.2017 for the export of AC generators, with a free-on-board (FOB) value of Rs.10,16,44,025.99/-. The goods were examined by the Customs officers, and a Let Export Order was issued on 29.09.2017. However, due to technical issues with the ICEGATE software, the Let Export Order could not be registered against the shipping bill. As the petitioner was under pressure from its buyers to dispatch the consignment, it requested the first respondent to issue a manual Let Export Order. The request was accepted, and the consignment was shipped on 04.10.2017.

3. The petitioner claims that it is entitled to the refund of IGST and to the applicable drawback and Merchandise Exports from India Scheme (MEIS) benefits. The petitioner submitted a representation to the second respondent seeking a refund of IGST on the basis of the manual shipping bill. However, the second respondent declined to process the claim, stating that the petitioner should approach the fourth respondent, the GST Department. Aggrieved by the failure to process the refund claim, the petitioner has filed this writ petition.

4. Heard the learned counsel appearing for the parties.

https://www.mhc.tn.gov.in/judis

www.taxcode.in

WEB COPY

5. There is no dispute that the Let Export Order could not be registered against the shipping bill due to technical issues with the ICEGATE software and that the Customs Department subsequently regularised the export through the manual shipping bill. The petitioner, therefore, submitted a representation to the second respondent seeking a refund of the IGST paid on the exported goods.

6. By letter dated 07.06.2024, the second respondent requested the fourth respondent to process the petitioner's IGST refund claim on the basis of the manual shipping bill. In response, the fourth respondent, by communication dated 10.07.2024, stated that, under Section 54 of the Central Goods and Services Tax Act, 2017, and the Rules made thereunder, the GST Department had no jurisdiction to sanction a refund of IGST paid on exported goods, whether the claim was made online or manually.

7. In its counter-affidavit, the Customs Department stated that the petitioner had submitted an application dated 10.04.2024 seeking a refund of IGST in respect of the shipping bill. It further stated that, under CBIC Circular No.17/17/2017-GST, manual refund claims relating to zero-rated supplies were required to be submitted to the jurisdictional GST authority in Form GST RFD-01A. The petitioner's complaint was closed on 22.04.2024, on the ground

https://www.mhc.tn.gov.in/judis

www.taxcode.in

Case Citation: (2026) taxcode.in 1691 HC
Order QR

WEB COPY

that the claim relating to the manual shipping bill fell within the jurisdiction of the GST Department.

8. Rule 96 of the Central Goods and Services Tax Rules, 2017, deals with the refund of IGST paid on goods exported out of India. Under sub-rule (3), upon receipt of information regarding the furnishing of a valid return in Form GSTR-3B from the common portal, the system designated by the Customs Department or the proper officer of Customs, as the case may be, shall process the refund claim relating to the export of goods. The amount of IGST paid in respect of each shipping bill or bill of export is then to be electronically credited to the applicant's registered bank account, subject to the applicable conditions. In the present case, the petitioner has furnished Form GSTR-3B to the fourth respondent, as acknowledged in the communication dated 10.07.2024 addressed to the second respondent.

9. A reading of Rule 96(3) makes it clear that the processing of an IGST refund claim relating to exported goods falls within the domain of the Customs system or the proper officer of Customs, as the case may be. The fourth respondent has also stated that the GST Department has no jurisdiction to sanction the refund claimed in the present case. In these circumstances, the

https://www.mhc.tn.gov.in/judis
www.taxcode.in

Case Citation: (2026) taxcode.in 1691 HC
Order QR

WEB COPY

second respondent cannot reject the petitioner's claim merely on the ground that it falls within the jurisdiction of the GST Department. The second respondent is, therefore, required to process the petitioner's claim in accordance with Rule 96 of the CGST Rules, 2017, and the other applicable provisions of law.

10. Accordingly, the writ petition is allowed. The second respondent is directed to process the petitioner's claim for refund of IGST in respect of Manual Shipping Bill No.117972 dated 14.03.2019 and sanction the admissible refund, along with applicable interest, in accordance with law. The exercise shall be completed within a period of four weeks from the date of receipt of a copy of this order. There shall be no order as to costs.

30.09.2026

Index : Yes/No
Speaking order : Yes/No
dna

https://www.mhc.tn.gov.in/judis
www.taxcode.in

WEB COPY

To

1. The Commissioner of Customs
Chennai IV Commissionerate
Custom House, No 60 Rajaji Salai,
Chennai 600 001.

2.The Deputy/Assistant Commissioner of Customs
Refunds
Custom House, No. 60, Rajaji Salai,
Chennai 600 001.

3.The Deputy Commissioner of Customs Exports,
Chennai IV Commissionerate
Custom House, No. 60, Rajaji Salai,
Chennai 600 001.

4.The Assistant Commissioner of Commercial Taxes,
LGSTO-66, 1st Floor, K.I.A.D.B. Building, 14th
Cross, 2nd State, Peenya, Bangalore - 560 058.

https://www.mhc.tn.gov.in/judis

www.taxcode.in

WEB COPY

HEMANT CHANDANGOUDAR.J.,

dna

WP No.7941 of 2025

30.09.2026

https://www.mhc.tn.gov.in/judis

www.taxcode.in