HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
(Special Original Jurisdiction)

TUESDAY ,THE ELEVENTH DAY OF MARCH
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE THE ACTING CHIEF JUSTICE SUJOY PAUL
AND
THE HONOURABLE SMT JUSTICE RENUKA YARA

WRIT PETITION NO: 5386 OF 2025

Between:

Janardhan Reddy Vanam, S/o. Yadi Reddy, Aged about 62 Years, 7-1-1/9, Poolbagh, Ferozguda, Balanagar, Hyderabad, Telangana State.

...PETITIONER

AND

1. State of Telangana, Rep by its Principal Secretary, Revenue (CT) Department, Secretariat Building, Saifabad, Hyderabad. Telangana State.
2. The Assistant Commissioner (ST), Ferozguda, Hyderabad, Telangana State.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue an appropriate Writ, Order or direction preferably a Writ in the nature of Writ of MANDAMUS declaring the impugned recovery notice dated 11-02-2025 in Ref. No. HYD. Rural Division/FGDA/2024-25 purported to have been issued under section 78 of the GST Act 2017 by the 2nd Respondent -Assistant Commissioner -ST herein as diametrically opposed to the order of 24-08-2024 for the financial year 2019-20 by the self same authority as illegal, arbitrary, unjust, improper, and contrary to the provisions of section 73/74 of the CGST Act 2017 and quash the same

IA NO: 1 OF 2025

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to stay all further proceedings including recovery of the amount mentioned in the notice dated 11-02-2025 issued by the 2nd Respondent pending disposal of the writ petition

Counsel for the Petitioner: SRI. K. RAJASEKHAR REP M. V. J. K. KUMAR

Counsel for the Respondents: SRI T. CHAITANYA KRIAN , AGP REP
SRI SWAROOP OORILLA, SPECIAL GOVT PLEADER FOR STATE TAX

The Court made the following: ORDER

THE HON'BLE THE ACTING CHIEF JUSTICE SUJOY PAUL

AND

THE HON'BLE SMT. JUSTICE RENUKA YARA

WRIT PETITION No.5386 of 2025

ORDER: *(Per the Hon'ble the Acting Chief Justice Sujoy Paul)*

Sri K.Rajasekhar, learned counsel appearing for Sri M.V.J.K.Kumar, learned counsel for the petitioner and Sri T. Chaitanya Kiran, learned Assistant Government Pleader representing Sri Swaroop Oorilla, learned Special Government Pleader for State Tax appearing for the respondents.

2. With the consent, finally heard.

3. During the course of hearing, learned counsel for the parties reached to a consensus and it is agreed that in the notice issued under Section 78 of State Goods and Services Tax Act, 2017, dated 11.02.2025, the total amount is erroneously mentioned and therefore the said notice may be set aside and the revenue may be given liberty to issue a fresh notice in accordance with law.

4. In view of the consensus arrived at, the impugned notice dated 11.02.2025 is set aside by reserving liberty as prayed for.

5. Accordingly, the writ petition is **disposed of** without expressing any opinion on the merits of the case. No costs.

Miscellaneous petitions pending, if any, shall stand closed.

SD/-P. CH. NAGABHUSHAMBA
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Revenue (CT) Department, Secretariat Building, Saifabad, Hyderabad. Telangana State.
2. The Assistant Commissioner (ST), Ferozguda, Hyderabad, Telangana State.
3. One CC to SRI. M. V. J. K. KUMAR, Advocate [OPUC]
4. Two CCs to SPLEADER GOVERNMENT PLEADER, High Court for the State of Telangana, at Hyderabad [OUT]
5. Two CD Copies

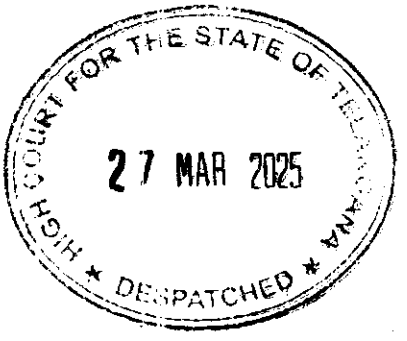
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LS

HIGH COURT

DATED:11/03/2025

ORDER

WP.No.5386 of 2025



DISPOSING OF THE WRIT PETITION
WITHOUT COSTS

(8) PA 26/3/25