

HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH
(Special Original Jurisdiction)

MONDAY , THE FOURTEENTH DAY OF SEPTEMBER,
TWO THOUSAND AND FIFTEEN

:PRESENT:

THE HONOURABLE SRI JUSTICE G. CHANDRAIAH
AND
THE HONOURABLE SRI JUSTICE CHALLA KODANDA RAM

W.P. No. 26453 of 2015 & WP No.28547 of 2015

Between:-

M/s. KRR Infrastructure Private Limited., Having its office at D.No.7-1-54/1,
Flat No. 204, Satya Sai Residency, Dharam Karam Road,
Ameerpet, Hyderabad – 16, Represented by its Managing Director,
Mr. Kunar Raghava Reddy S/o. Late K.V. Subba Reddy,
resident of Hyderabad.

.....PETITIONER

AND

1.Principal Commissioner of Service Tax, Service Tax
Commissioner ate, 11-5-423/1/A, 4th Floor, Sitaram Prasad
Towers,

Opp. Singareni Bhavan, Red Hills, Lakdikapool, Hyderabad-
500004.

2.Superintendent, Service Tax, Anti Evasion, 11-5-423/1/A,
4th Floor, Sitaram Prasad Towers, Opp: SingareniBhavan, Red
Hills,

Lakdikapool, Hyderabad-500004.

3.State Bank of India, Progressive Towers, Khairatabad,
Hyderabad-500004, Represented by the Branch Manager.

4.Hyderabad Metropolitan Development Authority.

Represented by its Chief Engineer, HMDA, Block 'A',
District Commercial Complex, Tarnaka, Hyderabad - 07.

.....RESPONDENTS.

Counsel for the Petitioners: SRI CH. PUSHYAM KIRAN

**Counsel for the Respondent Nos.1 & 2: SRI JALAKAM
SATYARAM**

Counsel for the Respondent No.3: SRI B.S. PRASAD

Counsel for the Respondent No.4: SRI Y. RAMA RAO

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W.P. No. 26453 of 2015

Petition under Article 226 of the Constitution of India praying
that in the circumstances stated in the Affidavit filed herein the High Court
may be pleased to issue a writ, direction or order especially in the nature of
a writ of mandamus declaring that the letter dated 06-07-15 issued by
Respondent No. 2 to the Respondent No.3 and such similar letters to

respondent No. 4 and others seeking to recover service Tax without assessment as being illegal, arbitrary, unlawful, in violation of Section 73 of the Finance Act, 1994 and the principles of natural justice and, consequently, set aside the same and restrain the Respondents from issuing notices under Section 87 of the Finance Act, 1994 without determining the liability by an order of assessment;

WP No.28547 of 2015

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Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein, the High Court may be pleased to issue a writ, direction or order especially in the nature of a writ of mandamus declaring that the action of the Respondents in not providing photocopies of the documents seized by the Respondents from the premises of the Petitioner Company and Sri Nitya Exports Private Limited on 19-06-2015 and in insisting recording the statement of the Managing Director of the Petitioner Company without providing the Petitioner Company photocopies of the seized documents as being illegal, violative of principles of natural justice and in abuse of the process of laws and, consequently, direct the Respondents to provide photocopies of the documents seized to the Managing Director of the Petitioner Company forthwith .

THE COURT MADE THE FOLLOWING ORDER :-

Counter filed.

Learned counsel for the petitioner seeks time to file reply.

Post on 21-09-2015.

Pending disposal of the writ petitions, the letter dated 06-07-2015 issued to the HMDA stands stayed.

ASSISTANT REGISTRAR

//TRUE COPY//

for ASSISTANT REGISTRAR

To

- 1.Principal Commissioner of Service Tax, Service Tax
Commissioner ate, 11-5-423/1/A, 4th Floor, Sitaram Prasad
Towers,
Opp. Singareni Bhavan, Red Hills, Lakdikapool, Hyderabad-
500004.
- 2.Superintendent, Service Tax, Anti Evasion, 11-5-423/1/A,
4th Floor, Sitaram Prasad Towers, Opp: SingareniBhavan, Red
Hills,
Lakdikapool, Hyderabad-500004.
- 3.The Branch Manager, State Bank of India, Progressive Towers,

Khairatabad, Hyderabad-500004,
4.The Chief Engineer, Hyderabad Metropolitan Development
Authority.
HMDA, Block 'A', District Commercial Complex, Tarnaka,
Hyderabad - 07. **(by RPAD)**
5.One CC to Sri Ch. Pushyam Kiran, Advocate(OPUC)
6.Two spare copies.

tvr

HIGH COURT

GC.J & CKR.J

DT. 14-09-2015

W.P.No. 26453 of 2015.

INTERIM STAY

**DRAFTED BY TVR
DT. 18-09-2015.**

HIGH COURT

GC.J & CKR.J

DT. 14-09-2015.

W.P.No. 26453 of 2015.

INTERIM STAY