

(SHOW CAUSE NOTICE BEFORE ADMISSION)
HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA
PRADESH

(Special Original Jurisdiction)
FRIDAY , THE NINTH DAY OF OCTOBER
TWO THOUSAND AND FIFTEEN

:PRESENT:

THE HON'BLE SRI JUSTICE G.CHANDRAIAH
AND
THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WP :33417 of 2015

Between:

M/s.De Dietrich Process Systems India Private Limited,D.NO.44-79/1, Road
No- 7, Industrial Estate, Nacharam, Hyderabad. Rep. by its Managing
Director Mr.Philippe Roujon

..... PETITIONERS

AND

- 1 The Commercial Tax Officer, Musheerabad Circle, Secunderabad
Division Hyderabad.
- 2 The Commercial Tax Officer,Mahankali Street Circle, Secunderabad
Division Hyderabad.
- 3 The Deputy Commissioner (CT),Secunderabad Division,
Hyderabad
- 4 The Commissioner of Commercial Taxes,Government of
Telangana,
Hyderabad.
- 5 The State of Telangana, Rep.by its Secretary, Revenue (CT)
Department Secretariat Buildings, Hyderabad.

.....RESPONDENTS

WHEREAS the Petitioner above named through his Advocate Sri BHASKAR REDDY VEMIREDDY presented this writ petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the 2nd respondent in levying tax at 14.5% on the turnover of Glass lined equipment through the impugned assessment order dated 14-9-2015 for the tax period August 2013 to 1st June 2014 under APVAT Act 20052 as illegal, arbitrary without authority of law and jurisdiction and set aside the same and consequently declare that the Glass lined equipment with Central Excise Tariff Heading 8419.89.20 is taxable only at 5% under Entry 102(n) of IV Schedule to the APVAT Act 2005;

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri BHASKAR REDDY VEMIREDDY, Advocate for the Petitioner, directed issue of notice to the Respondents herein to show cause as to why this writ petition should not be admitted in the circumstances set out in the petition and the affidavit filed in Writ Petition;

You viz ;

- 1 The Commercial Tax Officer, Musheerabad Circle, Secunderabad Division Hyderabad.
- 2 The Commercial Tax Officer, Mahankali Street Circle, Secunderabad Division Hyderabad.
- 3 The Deputy Commissioner (CT), Secunderabad Division, Hyderabad
- 4 The Commissioner of Commercial Taxes, Government of Telangana, Hyderabad.
- 5 The Secretary, Revenue (CT) Department, State of Telangana Secretariat Buildings, Hyderabad.

are directed to show cause as to why in the circumstances set out in the petition and the affidavit filed therewith (copy enclosed) this writ petition should not be admitted.

The Court further made the following ORDER:

-

Notice before admission.

List the matter immediately after Dasara Vacation, 2015.

Meanwhile, there shall be interim stay as prayed for.

ASSISTANT REGISTRAR

//TRUE COPY//

for ASSISTANT REGISTRAR

To

- 1 The Commercial Tax Officer, Musheerabad Circle, Secunderabad Division Hyderabad.
- 2 The Commercial Tax Officer, Mahankali Street Circle, Secunderabad Division Hyderabad.
- 3 The Deputy Commissioner (CT), Secunderabad Division, Hyderabad
- 4 The Commissioner of Commercial Taxes, Government of Telangana, Hyderabad.
- 5 The Secretary, Revenue (CT) Department, State of Telangana Secretariat Buildings, Hyderabad. (1 to 5 by RPAD)
6. Two CC to GP for Commercial Tax (TG), High Court, Hyderabad (OUT)
7. One CC to Sri BHASKAR REDDY VEMIREDDY, Advocate (OPUC)
8. One spare copy.

Tvr

HIGH COURT

GCJ & CKRJ

ORDER

DATED: 09-10-2015

WP NO.33417 OF 2015

NOTICE BEFORE ADMISSION

INTERIM STAY

DRAFTED: TVR
DATED: 13-10-2015

HIGH COURT

GCJ & CKRJ

ORDER

DATED: 09-10-2015

WP NO.33417 OF 2015

NOTICE BEFORE ADMISSION

INTERIM STAY