

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

**TUESDAY, THE FIFTEENTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY TWO**

PRESENT

**THE HONOURABLE SRI JUSTICE T.VINOD KUMAR
AND
THE HONOURABLE SRI JUSTICE PULLA KARTHIK**

WRIT PETITION NO: 7988 & 7994 OF 2010

WRIT PETITION NO: 7988 OF 2010

Between:

M/s. Narayana Coaching Center, 3-5-598, Vittalwadi, Narayanaguda,
Hyderabad Rep. by its Proprietor Sri. P. Narayana

...PETITIONER

AND

1. The Commercial Tax Officer, Hyderguda circle, 2nd Floor, D.No.5-4-435, Old Kakathiya Hotel, Nampally Station Road, Hyderabad-500 005.
2. The Appellate Deputy Commissioner (CT), Kuda Complex, Ground Floor, Hanamkonda, Warangal District
3. The Deputy Commissioner (CT), 5-4-435, 1st Floor, Old Kakathiya Hotel, Nampally Station Road, Hyderabad-500 005.
4. The Commissioner of Commercial Taxes, Andhra Pradesh, 1st Floor, C.T. Complex, Opp. Handloom House, M.J. Market Road, Nampally, Hyderabad.

...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 a) to issue a writ, order or direction more particularly one in the nature of Mandamus directing the respondents to refund the amount of Rs.11,13,935/- along with interest at 1% per cent per month for the period of delay and pass such other order or orders as are deemed fit and proper in the facts and circumstances of the case; and b) to award the cost of this petition.

I.A. NO: 1 OF 2010(WPMP. NO: 10285 OF 2010)

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 fix up an early date for the hearing of this writ petition and dispose of the same as expeditiously as possible to alleviate the cash flow problems of the petitioner.

WRIT PETITION NO: 7994 OF 2010

Between:

M/s. Narayana Coaching Centre-Nellore, 3-6-517, Himayatnagar, Hyderabad
Rep. by its Authorized Rep. Sri R. Koteswara Rao

...PETITIONER

AND

1. The Commercial Tax Officer, Hyderguda circle, 2nd Floor, D.No.5-4-435, Old Kakathiya Hotel, Nampally Station Road, Hyderabad-500 005.
2. The Appellate Deputy Commissioner (CT), Kuda Complex, Ground Floor, Hanamkonda, Warangal District
3. The Deputy Commissioner (CT), 5-4-435, 1st Floor, Old Kakathiya Hotel, Nampally Station Road, Hyderabad-500 005.
4. The Commissioner of Commercial Taxes, Andhra Pradesh, 1st Floor, C.T. Complex, Opp. Handloom House, M.J. Market Road, Nampally Hyderabad,

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed there with, the High Court may be pleased to a) to issue a writ, order or direction more particularly one in the nature of Mandamus directing the respondents to refund the amount of Rs.12,02,883/- along with interest at 1% per cent per month for the period of delay and pass such other order or orders as are deemed fit and proper in the facts and circumstances of the case; and b) to award the cost of this petition.

I.A. NO: 1 OF 2010(WPMP. NO: 10291 OF 2010)

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 fix up an early date for the hearing of this writ petition and dispose of the same as expeditiously as possible to alleviate the cash flow problems of the petitioner

Counsel for the Petitioner:SRI S. R. R. VISWANATH
(for both the writ petitions)

Counsel for the Respondents 1 to 4: GP FOR COMMERCIAL TAXES
(for both the writ petitions)

The Court made the following: COMMON ORDER

THE HON'BLE SRI JUSTICE T. VINOD KUMAR

AND

THE HON'BLE SRI JUSTICE PULLA KARTHIK

WP. No.s 7988 and 7994 of 2010

COMMON ORDER (per the Hon'ble Sri Justice T. Vinod Kumar)

Learned counsel for the petitioner submits that the cause in both these Writ Petitions does not survive for adjudication by this Court any further, and thus, the Writ Petitions have become infructuous.

2. Recording the said submission, both these Writ Petitions are dismissed as infructuous. No order as to costs.

3. Consequently, miscellaneous petitions pending, if any, shall stand closed.

//TRUE COPY//

SD/-I. NAGALAKSHMI
DEPUTY REGISTRAR

SECTION OFFICER

To,

1. One CC to SRI S. R. R. VISWANATH Advocate [OPUC]
2. Two CCs to GP FOR COMMERCIAL TAXES, High Court for the State of Telangana. [OUT]
3. Two CD Copies

EDS
GJP

HIGH COURT

DATED:15/11/2022



COMMON ORDER

WP.No. 7988 & 7994 of 2010

DISMISSING OF BOTH THE WRIT PETITIONS
AS INFRACTUOUS WITHOUT COSTS

⑥ VLV
26/12/22