

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

FRIDAY, THE TWENTY NINTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY THREE

PRESENT

**THE HON'BLE SRI JUSTICE P. SAM KOSHY
AND
THE HON'BLE SRI JUSTICE N. TUKARAMJI**

WRIT PETITION NO: 35087 OF 2023

Between:

Madhucon Projects Limited, Having its office at Madhucon House, 1129/A, Road No. 36, Jubilee Hills, Hyderabad -500033 Represented by DGM (Taxation) and Authorized Representative, T. Mohan Rao S/o. Koteswar Rao, Aged about 61 years, Resident of H.No. 4-7-9/96, Sai Charitha Nilayam, New Raghavendra Nagar, Nacharam, Hyderabad- 500076.

...PETITIONER

AND

1. Union of India, Represented by its Revenue Secretary, Ministry of Finance, Department of Revenue, Office of Ministry of Finance, Room No. 46, North Block, New Delhi - 110 001.
2. Central Board of Direct Taxes, Represented by its Chairman, Central Board of Direct Taxes, North Block, New Delhi-110002.
3. Principal Director General of Income Tax, (Investigation), Andhra Pradesh and Telangana Aayakar Bhavan, Basheer Bagh, Hyderabad- 500004.
4. Principal Commissioner of Income Tax (Central), Hyderabad, 7th Floor, Aayakar Bhavan, Basheer Bagh, Hyderabad- 500004.
5. Deputy Commissioner of Income Tax, Central Circle 1(2), Hyderabad (Formerly Joint Commissioner of Income Tax), 7th Floor, Aayakar Bhavan, Basheer Bagh, Hyderabad- 500004.
6. Assistant Commissioner of Income Tax, Central Circle 1(2), Hyderabad, 7th Floor, Aayakar Bhavan, Basheer Bagh, Hyderabad- 500004.
7. Additional/JCIT Admn Hyderabad Tech, 7th Floor, Aayakar Bhavan, Basheer Bagh, Hyderabad- 500004.

...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 a writ or an order or a direction, more particularly a writ in the nature of mandamus declaring the actions of the Respondents in passing the Order dated 14/11/2023 bearing DIN and Letter number ITBA/COM/F/17/2023-24/1057919607(1) and demanding payment of Rs. 22,49,12,075/- within one month from the end of the month of receipt of Order as being arbitrary, illegal, unconstitutional, and in violation of the Guidelines for Compounding of Offences under Direct Tax Laws, 2019 and provisions of the Income Tax Act, 1961 and

settled principles of law and thereby setting aside the Order dated 14/11/2023 bearing DIN and Letter number ITBA/COM/ F/17/ 2023-24/1057919607(1) issued to the Petitioner by 7th Respondent and consequently direct the Respondents to issue fresh Notices allowing the Petitioner to explain the correct and proper calculation applicable as per the Guidelines for Compounding of Offences under Direct Tax Laws, 2019

IA NO: 1 OF 2023

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 direct the Respondents to not close the compounding applications of the petitioner by extending the time period for a further period of twelve (12) months to comply with the correct and proper calculation applicable and calculated by the Petitioner as per the Guidelines for Compounding of Offences under Direct Tax Laws, 2019

Counsel for the Petitioner: SRI TPS HARSHA

**Counsel for Respondent Nos. 1 & 2: SRI GADI PRAVEEN KUMAR
Dy. SOLICITOR GENERAL OF INDIA**

Counsel for Respondent Nos. 3 to 7: SMT. K. MAMATA

The Court made the following: ORDER

THE HON'BLE SRI JUSTICE P.SAM KOSHY
AND

THE HON'BLE SRI JUSTICE N.TUKARAMJI

WRIT PETITION No.35087 of 2023

ORDER: *(per Hon'ble Sri Justice P.SAM KOSHY)*

Learned counsel for the petitioner seeks permission of this Court to withdraw the present writ petition with a liberty to ventilate their grievance to approach the respondents through representation that has already been made by the petitioner, which includes the request for seeking further time for compliance of the order dated 14.11.2023.

2. Permission is accorded to withdraw the present appeal.
3. With the liberty as sought for, the present Writ Petition stands dismissed as withdrawn. There shall be no order as to costs.

Miscellaneous petitions, pending if any, shall stand closed.

SD/- K. AMMAJI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

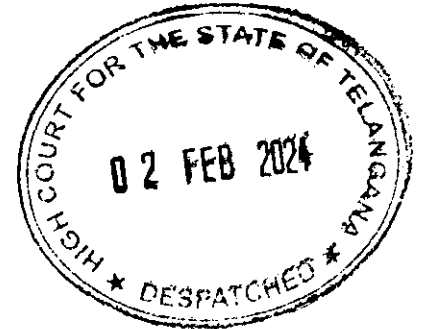
1. One CC to Sri TPS Harsha Advocate [OPUC]
2. One CC to Sri Gadi Praveen Kumar, Deputy Solicitor General of India [OPUC]
3. One CC to Smt. K. Mamata, Advocate(OPUC)
4. Two CD Copies

MBC
GJP



HIGH COURT

DATED: 29/12/2023



ORDER

WP.No.35087 of 2023

DISMISSING THE WRIT PETITION

WITHOUT COSTS

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REMA
25/1/2024