

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

**WEDNESDAY, THE THIRTIETH DAY OF OCTOBER
TWO THOUSAND AND TWENTY FOUR**

PRESENT

**THE HONOURABLE SRI JUSTICE SUJOY PAUL
AND
THE HONOURABLE SRI JUSTICE NAMAVARAPU RAJESHWAR RAO**

WRIT PETITION NO: 29868 OF 2024

Between:

Sree Sai Enterprises, A proprietary concern Having its office at 9-1 A/6, Sharda Nagar, Ramanthapur, Medchal Malkajgiri, Telangana

...PETITIONER

AND

1. The Assistant Commissioner of State Tax, Tarnaka 2 Circle, Secundrabad Division 7th Floor, Mayur Kushal Complex, C-Block Abids, Hyderabad -500 001
2. The Deputy State Tax Officer, Tarnaka 2 Circle, Secundrabad Division 7th Floor, Mayur Kushal Complex, C-Block Abids, Hyderabad - 500 001
3. Kotak Mahindra Bank, Ramanthapur Branch, S No. 1-7-70/6, Maheswari Nagar, Street No. 8, Habsiguda, Hyderabad, Telangana, Pin 500007
4. Axis Bank, Ramanthapur Branch S No: 1-7-70/6, Maheswari Nagar, Street No. 8, Habsiguda, Hyderabad, Telangana, Pin 500007

...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, order, or direction more particularly in the nature of a Writ of Mandamus declaring the Form DRC No. 13 dated 03-04-2024 issued by the Respondent No. 1 to the Respondent No. 3 and 4 through email dated 03-04-2024 as being void illegal arbitrary, without jurisdiction, violative of Article 14 of the Constitution of India and consequently set aside the same.

IA NO: 1 OF 2024

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 suspend the Form DRC No. 13 issued by the Respondent No. 1 to the Respondent No. 3 and 4 Banks.

Counsel for the Petitioner: SRI M.NAGA DEEPAK

**Counsel for the Respondent No.1 & 2: SRI SWAROOP OORILLA,
SPL GP FOR STATE TAX**

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE SUJOY PAUL

AND

THE HONOURABLE SRI JUSTICE NAMAVARAPU RAJESHWAR RAO

WRIT PETITION No.29868 of 2024

ORDER (per Hon'ble SP,J)

Sri M. Naga Deepak, learned counsel for the petitioner and Sri Swaroop Oorilla, learned Special Government Pleader for State Tax, for respondent Nos.1 & 2.

2. During the course of hearing, it is agreed that in the present case, the attachment of Bank Account of the petitioner had taken place on 29.02.2024 whereas show cause notice was issued subsequently on 04.04.2024. Thus, it is jointly prayed that attachment order dated 29.02.2024 may be set aside by reserving liberty to the Department to proceed against the petitioner in accordance with law.

3. In view of consensus arrived at, the attachment order dated 29.02.2024 is set aside. Liberty is reserved to the Department to proceed against the petitioner in accordance with law.

4. The Writ Petition is disposed of. No costs.

Interlocutory applications, if any pending, shall also stand closed.

SD/- T. JAYASREE
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Assistant Commissioner of State Tax, Tarnaka 2 Circle, Secundrabad Division 7th Floor, Mayur Kushal Complex, C-Block Abids, Hyderabad -500 001
2. The Deputy State Tax Officer, Tarnaka 2 Circle, Secundrabad Division 7th Floor, Mayur Kushal Complex, C-Block Abids, Hyderabad - 500 001
3. Kotak Mahindra Bank, Ramanthapur Branch, S.No. 1-7-70/6, Maheswari Nagar, Street No. 8, Habsiguda, Hyderabad, Telangana, Pin 500007

cont

- 4 Axis Bank, Ramanthapur Branch S No. 1-7-70/6, Maheswari Nagar, Street No. 8, Habsiguda, Hyderabad, Telangana, Pin 500007
- 5 One CC to SRI M.NAGA DEEPAK, Advocate [OPUC]
- 6 Two CCs to SRI SWAROOP OORILLA, SPL GP FOR STATE TAX, High Court for the State of Telangana at Hyderabad [OUT]
- 7 Two CD Copies

BSR
GJP



HIGH COURT

DATED: 30/10/2024



ORDER

WP.No.29868 of 2024

DISPOSING OF THE WRIT PETITION,
WITHOUT COSTS

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~~03/12/2024~~
03/12/2024