



**IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)**

**WEDNESDAY, THE TWENTY SECOND DAY OF JANUARY,
TWO THOUSAND AND TWENTY FIVE**

:PRESENT:

**THE HONOURABLE SRI JUSTICE R RAGHUNANDAN RAO
AND**

**THE HONOURABLE SRI JUSTICE MAHESWARA RAO KUNCHEAM
WRIT PETITION NO: 25300 OF 2024**

Between:

Siva Ragini Filling Station, R.S.No. 14/1BI, TNT Road, 4/132, Near Holy Cross Circle, Yerrabalem Village, Sullurpet Mandal Rep. by its Proprietor Sri. Sukumar SivaRaji S/o Sivaraji Aged about 41 years Tirupati District - 524121, Andhra Pradesh.

...Petitioner

AND

1. The Deputy Commercial Tax Officer, No. -I Circle, O/o. Commercial Tax Officer, Gudur, SPSR Nellore District.
2. The Commercial Tax Officer, Gudur, SPSR Nellore District.
3. The Deputy Commissioner of CT, Nellore, SPSR Nellore District.
4. State of Andhra Pradesh, Rep by its Principal Secretary, Revenue (CT) Department, Velagapudi, Amaravathi, Guntur District, Andhra Pradesh.

...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 an appropriate writ, order or direction particularly in the nature of Writ of MANDAMUS declaring the action of the 1st Respondent in issuing the notices dated 20-09-2024 and 10-10-2024 without issuing any show cause notice and without even issuing / serving personal hearing notices and without serving any assessment order and penalty but only demand

notices dated 20-09-2024 and 10-10-2024 and levying tax and penalty as illegal, arbitrary, unjust, improper, without authority of law and jurisdiction, contrary to the principles of natural justice and also the provisions of the APVAT Act 2005 and articles 14, 19(1)(g), 21, 265 of the Constitution of India and consequently to set aside the same

IA NO: 1 OF 2024

Petition under Section 151 of CPC is filed praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to STAY all further proceedings pursuant to the demand notices dated 20- 09-2024 and 10-10-2024, Pending disposal of WP 25300 of 2024, on the file of the High Court.

The Petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and the order of the High Court order dated 08.01.2025 made herein and upon hearing the arguments of Sri M.V.J.K.Kumar Advocate for the Petitioner, and of GP for Commercial Tax, for the Respondents, the Court made the following;

ORDER:

“Time is sought for filing counter-affidavit by the learned Government Pleader for Commercial Tax, appearing for the respondents.

Post on 19.02.2025.

Interim order granted earlier shall stand extended till 05.03.2025.”

//TRUE COPY//

**SD/- A. VIJAYA BABU
ASSISTANT REGISTRAR
SECTION OFFICER**

To,

1. One CC to SRI. M V J K KUMAR Advocate [OPUC]

2. Two CCs to GP FOR COMMERCIAL TAX, High Court of Andhra Pradesh [OUT]
3. Two spare copies

HIGH COURT

RRR,J
&
MRK,J

DATED: 22/01/2025

POST ON 19.02.2025

ORDER

WP.No.25300 of 2024

INTERIM ORDER EXTENDED

