

 [3329]

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

THURSDAY, THE THIRTEENTH DAY OF APRIL
TWO THOUSAND AND TWENTY THREE

:PRESENT:

**THE HONOURABLE SRI JUSTICE VENKATESWARLU NIMMAGADDA
WRIT PETITION NO: 8664 OF 2023**

Between:

Sikharam Sesha Sai Prasad, S/o Late Souri Rao, Aged about. 56 years, Occ.
Goods Service Tax Officer (G.S.T.O), Commercial Taxes Department, R/o H.No.6-
23-3, 3rd Line, 4th Cross Road, Ganesh Bhavan, Arundelpet, Guntur.

Petitioner

AND

1. The State of Andhra Pradesh, Represented by its Principal Secretary,
Revenue (Commercial Taxes III) Department, Secretariat, Velagapudi,
Guntur District, Andhra Pradesh.
2. The Chief Commissioner, State Tax (ST) Commercial Taxes Department,
State of Andhra Pradesh, Kunchanapalli, Guntur District,
3. The Additional Commissioner State Tax (ST), Regional GST Audit and
Enforcement, Vijayawada, Andhra Pradesh.
4. The Joint Commissioner State Tax (ST), Guntur-I Nodal Division, Guntur,
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 a writ, order or direction more particularly one in the nature of a Writ of Mandamus, to quash the Charge Memo 3C(ST) Guntur-I File No. Rc.No.21/2023 A2-(1) dated 06.03.2023 issued to the petitioner and consequently declare the action of the Respondents specifically Respondent No.4 in issuing Charge Memo JC(ST) Guntur-I File No. Rc.No.21/2023 A2-(1) dated 06.03.2023 is violative of Article 19(1)(a) and Article 19(1)(b) of the Constitution of India.

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 suspend the Charge Memo J(ST) Guntur-I File No. Rc.No.21/2023 A2-(1) dated 06.03.2023 issued to the petitioner, Pending disposal of WP 8664 of 2023, 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 upon hearing the arguments of Sri Umesh Chandra P V G Advocate for the Petitioner, GP for Commercial Taxes for the Respondents, the Court made the following

ORDER

“Heard learned counsel for the petitioner and learned Government Pleader for the respondents.

Considering the submissions made, there shall be an interim direction to the respondents not to take any coercive steps till completion of enquiry as contemplated under Rule 20 of Andhra Pradesh Civil Services (CCA) Rules, 1991.

Learned Government Pleader appearing for the respondents seeks time for filing counter.

List the matter after three (03) weeks."

Sd/- S. SRINIVASA PRASAD
ASSISTANT REGISTRAR

//TRUE COPY//

For A

SECTION OFFICER

To,

1. The Principal Secretary, Revenue (Commercial Taxes III) Department, State of Andhra Pradesh, Secretariat, Velagapudi, Guntur District, Andhra Pradesh.
2. The Chief Commissioner, State Tax (ST) Commercial Taxes Department, State of Andhra Pradesh, Kunchanapalli, Guntur District.
3. The Additional Commissioner State Tax (ST), Regional GST Audit and Enforcement, Vijayawada, Andhra Pradesh.
4. The Joint Commissioner State Tax (ST), Guntur-I Nodal Division, Guntur, Andhra Pradesh (1 to 4 by RPAD)
5. One CC to Sri Umesh Chandra P V G Advocate [OPUC]
6. Two CCs to GP for Commercial Taxes, High Court Of Andhra Pradesh. [OUT]
7. One spare copy

RVK



HIGH COURT

NVJ

DATED:13/04/2023

LIST THE MATTER AFTER THREE (03) WEEKS

ORDER

WP.No.8664 of 2023

DIRECTION

