

**(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD**

TUESDAY, THE SIXTH DAY OF SEPTEMBER TWO THOUSAND AND TWENTY
TWO

:PRESENT:
THE HONOURABLE THE CHIEF JUSTICE UJJAL BHUYAN
AND
THE HONOURABLE SRI JUSTICE C.V. BHASKAR REDDY

WRIT PETITION NOS: 34670, 34676, 34687, 34691 & 34755 OF 2022

W.P.No.34670 of 2022

Between:

Nexus Well-Hope Agritech International Ltd, (Represented by its Additional Director) D.No.8-1-301/86-87, Plot No.101, Shaikpet Nala, Saipriya Residency, Lakshmi Nagar Colony, Hyderabad-500008

Petitioner

AND

1. The Adjudicating Authority, (SAFEM(FOP)A and NDPSA), 'UTSAV', 64/1, G.N. Chetty Road, T. Nagar, Chennai-600017
2. Assistant Commissioner of Income Tax, (Initiating Officer) Benami Transactions Prohibition Unit, Hyderabad 3rd Floor, Aayakar Bhavan, Basheerbagh, Hyderabad- 500004
3. Kovvuri Sai Venkata Satya Narayana Reddy, S/o Kovvuri Sufi Reddy, H. No. 7-8, Peethalava Village, Kruthivennu Mandal, Krishna District, Andhra Pradesh - 521324.
4. Union of India, (Represented by Secretary (Revenue)), North Block, New Delhi

Respondents

WHEREAS the Petitioner above named through its Advocate SRI YAMMANURU SIRI REDDY presented this 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 in nature of writ of mandamus declaring the impugned Order OCA/MDS/349/2021- PBPT dt.27/04/2022 issued by the 1st respondent as being arbitrary, illegal, violative of principles of natural justice and without authority of law and set aside the same and pass such further orders in the interest of justice;

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Ms. Anushka Rastogi for Sri YAMMANURU SIRI REDDY Advocate for the Petitioner and Sri Ajay Kumar Kulkarni representing for Sri B. Narsimha Sarma, who took notice on behalf of the Respondent No.2 and Sri B. Mukherjee, representing Asst. Sol. Gen. who took notice on behalf of the Respondent No.4, directed issue of notice to the Respondents herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

1. The Adjudicating Authority, (SAFEM(FOP)A and NDPSA), UTSAV, 64/1, G.N. Chetty Road, T. Nagar, Chennai-600017
2. Assistant Commissioner of Income Tax, (Initiating Officer) Benami Transactions Prohibition Unit, Hyderabad 3rd Floor, Aayakar Bhavan, Basheerbagh, Hyderabad- 500004
3. Kovvuri Sai Venkata Satya Narayana Reddy, S/o Kovvuri Sufi Reddy, H. No. 7-8, Peethalava Village, Kruthivenu Mandal, Krishna District, Andhra Pradesh - 521324.
4. The Secretary (Revenue), Union of India, North Block, New Delhi

are directed to show cause on or before 13-09-2022 to which date the case stands posted as to why in the circumstances set out in the petition and the affidavit filed therewith (copy enclosed) this WRIT PETITION should not be admitted.

IA NO: 1 OF 2022

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 stay the operation of the impugned Order No. OCA/MDS/349/2021- PBPT dt. 27/04/2022 by the 1st respondent, pending disposal of WP No. 34670 of 2022, on the file of the High Court.

W.P.No.34676 of 2022:

Between:

Nexus Well-Hope Agritech International Ltd, (Represented by its Additional Director) D.No.8-1-301/86-87, Plot No.101, Shaikpet Nala, Saipriya Residency, Lakshmi Nagar Colony, Hyderabad-500008

Petitioner

AND

1. The Adjudicating Authority, (SAFEM (FOP) A and NDPSA) UTSAV, 64/1, G.N. Chetty Road, T. Nagar, Chennai-600017
2. Assistant Commissioner of Income Tax, (Initiating Officer) Benami Transactions Prohibition Unit, Hyderabad 3rd Floor, Aayakar Bhavan, Basheerbagh, Hyderabad- 500004
3. Satti Ganga Bhavani, W/o. Satti Suryanarayana Reddy, H.No. 7-10, Peethalava Village, Kruthivenu Mandal, Krishna District, Andhra Pradesh - 521 324
4. Union of India, (Represented by Secretary (Revenue)), North Block, New Delhi

Respondents

WHEREAS the Petitioner above named through its Advocate Sri YAMMANURU SIRI REDDY presented this 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 in nature of writ of mandamus declaring the impugned Order OCA/MDS/350/2021- PBPT dt.27/04/2022 issued by the 1st respondent as being

arbitrary, illegal, violative of principles of natural justice and without authority of law and set aside the same;

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Ms. Anushka Rastogi for Sri YAMMANURU SIRI REDDY Advocate for the Petitioner and Sri Ajay Kumar Kulkarni representing for Sri B. Narsimha Sarma, who took notice on behalf of the Respondent No.2 and Sri B. Mukherjee, representing Asst. Sol. Gen. who took notice on behalf of the Respondent No.4, directed issue of notice to the Respondents herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

1. The Adjudicating Authority, (SAFEM (FOP) A and NDPSA) UTSAV, 64/1, G.N. Chetty Road, T. Nagar, Chennai-600017
2. Assistant Commissioner of Income Tax, (Initiating Officer) Benami Transactions Prohibition Unit, Hyderabad 3rd Floor, Aayakar Bhavan, Basheerbagh, Hyderabad- 500004
3. Satti Ganga Bhavani, W/o. Satti Suryanarayana Reddy, H.No. 7-10, Peethalava Village, Kruthivenu Mandal, Krishna District, Andhra Pradesh - 521 324
4. The Secretary (Revenue), Union of India, North Block, New Delhi

are directed to show cause on or before 13-09-2022 to which date the case stands posted as to why in the circumstances set out in the petition and the affidavit filed therewith (copy enclosed) this WRIT PETITION should not be admitted.

IA NO: 1 OF 2022

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 stay the operation of the impugned Order No. OCA/MDS/350/2021- PBPT dt. 27/04/2022 by the 1st respondent, pending disposal of WP No. 34676 of 2022, on the file of the High Court.

W.P.No.34687 of 2022:

Between:

Nexus Well-Hope Agritech International Ltd., (Represented by its Additional Director) D.No.8-1-301/86-87, Plot No.101, Shaikpet Nala, Saipriya Residency, Lakshmi Nagar Colony, Hyderabad-500008.

Petitioner

AND

1. The Adjudicating Authority, (SAFEM(FOP)A and NDPSA), Shastri Bhavan, 4th Floor, New Building Complex, No.26, Haddows Road, Chennai-600006.
2. Assistant Commissioner of Income Tax, (Initiating Officer) Benami Transactions Prohibition Unit, Hyderabad 3rd Floor, Aayakar Bhavan, Basheerbagh, Hyderabad- 500004
3. Ainala Parameshwar Rao, S/o Ainala Bogaiah, D No 11-46, Yadavalli Village, Kalindindi Mandal, Krishna District, Andhra Pradesh - 521344.

4. Union of India, (Represented by Secretary (Revenue)), North Block, New Delhi

Respondents

WHEREAS the Petitioner above named through its Advocate Sri YAMMANURU SIRI REDDY presented this 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 in nature of writ of mandamus declaring the impugned Order OCA/MD S/353/2021-PBPT dt.21.04 .2022 issued by the 1st respondent as being arbitrary, illegal, violative of principles of natural justice and without authority of law and set aside the same;

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Ms. Anushka Rastogi for Sri YAMMANURU SIRI REDDY Advocate for the Petitioner and Sri Ajay Kumar Kulkarni representing for Sri B. Narsimha Sarma, who took notice on behalf of the Respondent No.2 and Sri B. Mukherjee, representing Asst. Sol. Gen. who took notice on behalf of the Respondent No.4, directed issue of notice to the Respondents herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

1. The Adjudicating Authority, (SAFEM(FOP)A and NDPSA), Shastri Bhavan, 4th Floor, New Building Complex, No.26, Haddows Road, Chennai-600006.
2. Assistant Commissioner of Income Tax, (Initiating Officer) Benami Transactions Prohibition Unit, Hyderabad 3rd Floor, Aayakar Bhavan, Basheerbagh, Hyderabad- 500004
3. Ainala Parameshwar Rao, S/o Ainala Bogaiah, D No 11-46, Yadavalli Village, Kalindindi Mandal, Krishna District, Andhra Pradesh - 521344.
4. The Secretary (Revenue), Union of India, North Block, New Delhi

are directed to show cause on or before 13-09-2022 to which date the case stands posted as to why in the circumstances set out in the petition and the affidavit filed therewith (copy enclosed) this WRIT PETITION should not be admitted.

IA NO: 1 OF 2022

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 stay the operation of the impugned Order No. OCA/MDS/353/ 2021- PBPT dt.21.04.2022 by the 1St respondent, pending disposal of WP No. 34687 of 2022, on the file of the High Court.

W.P.No.34691 of 2022:

Between:

Nexus Feeds Limited, (Represented by its Managing Director) D.No. 8-1-301/86-87 101, Saipriya Residency, Hyderabad - 500 008

Petitioner

AND

1. The Adjudicating Authority, (SAFEM(FOP)A and NDPSA), Shastri Bhavan, New Building Complex (4th Floor), 26, Haddows Road, Chennai- 600 006
2. Assistant Commissioner of Income Tax, (Initiating Officer) Benami Transactions Prohibition Unit, Hyderabad 3rd Floor, Aayakar Bhavan, Basheerbagh, Hyderabad- 500 004
3. Goluguri Bhaskar Reddy, S/o. Suri Reddy, Ramakrishna Reddy Nagar, Penumantra, West Godavari District, Andhra Pradesh- 534124
4. Bokka Srinivas Rao, S/o. Bokka Sahadevudu, D.No.9-6, S.N.Nagar, Kalidindi Mandal, Krishna District, Andhra Pradesh- 521 344
5. M/s. Nakshatra Feeds Ltd, (Represented by its Managing Director) D.No. 48-19-4, Samatha Residency, Ramachandra Nagar, Vijayawada- 520 008
6. Union of India, (Represented by Secretary (Revenue)), North Block, New Delhi

Respondents

WHEREAS the Petitioner above named through its Advocate Sri YAMMANURU SIRI REDDY presented this 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 in nature of writ of mandamus declaring the impugned Order No. OCA/MDS/379/ 2021-PBPT dt.21.04.2022 issued by the 1st respondent as being without jurisdiction, arbitrary, illegal, violative of principles of natural justice and without authority of law and set aside the same and pass such further orders in the interest of justice;

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Ms. Anushka Rastogi for Sri YAMMANURU SIRI REDDY Advocate for the Petitioner and Sri Ajay Kumar Kulkarni representing for Sri B. Narsimha Sarma, who took notice on behalf of the Respondent No.2 and Sri B. Mukherjee, representing Asst. Sol. Gen. who took notice on behalf of the Respondent No.6, directed issue of notice to the Respondents herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

1. The Adjudicating Authority, (SAFEM(FOP)A and NDPSA), Shastri Bhavan, New Building Complex (4th Floor), 26, Haddows Road, Chennai- 600 006
2. Assistant Commissioner of Income Tax, (Initiating Officer) Benami Transactions Prohibition Unit, Hyderabad 3rd Floor, Aayakar Bhavan, Basheerbagh, Hyderabad- 500 004
3. Goluguri Bhaskar Reddy,, S/o. Suri Reddy, Ramakrishna Reddy Nagar, Penumantra, West Godavari District, Andhra Pradesh- 534124
4. Bokka Srinivas Rao, S/o. Bokka Sahadevudu, D.No.9-6, S.N.Nagar, Kalidindi Mandal, Krishna District, Andhra Pradesh- 521 344
5. M/s. Nakshatra Feeds Ltd, (Represented by its Managing Director) D.No. 48-19-4, Samatha Residency, Ramachandra Nagar, Vijayawada- 520 008
6. The Secretary (Revenue), Union of India, North Block, New Delhi

are directed to show cause on or before 13-09-2022 to which date the case stands posted as to why in the circumstances set out in the petition and the affidavit filed therewith (copy enclosed) this WRIT PETITION should not be admitted.

IA NO: 1 OF 2022

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 stay the operation of the impugned Order No. Order No. OCA/MDS/379/2021-PBPT dt.21.04.2022 by the 1st respondent, pending disposal of WP No. 34691 of 2022, on the file of the High Court.

W.P.No.34755 of 2022

Between:

M/s. Neopride Pharmaceuticals Limited, (Represented by its Director) 27-17-55/16, Plot No. 19, ASR Nagar, Opp. Alluri Seetharamaraju Kalyana Mandapam, Bhimavaram, West Godavari District, Andhra Pradesh- 534202

Petitioner

AND

1. The Adjudicating Authority, (SAFEM(FOP)A and NDPSA), UTSAV, 64/1, G.N. Chetty Road, T. Nagar, Chennai-600017
2. Assistant Commissioner of Income Tax, (Initiating Officer) Benami Transactions Prohibition Unit, Hyderabad 3rdFloor, Aayakar Bhavan, Basheerbagh, Hyderabad- 500004
3. Satti Suryanarayana Reddy, S/o. Satti Somi Reddy, H.No.7-10, Peethavalava Village, Kruthivenu Mandal, Krishna District, Andhra Pradesh-521324
4. Union of India, (Represented by Secretary (Revenue)), North Block, New Delhi

Respondents

WHEREAS the Petitioner above named through its Advocate Sri YAMMANURU SIRI REDDY presented this 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 in nature of writ of mandamus declaring the impugned Order OCA/MDS/332/2021-PBPT dt.25.03.2022 issued by the 1st respondent as being arbitrary, illegal, violative of principles of natural justice and without authority of law and set aside the same;

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Ms. Anushka Rastogi for Sri YAMMANURU SIRI REDDY Advocate for the Petitioner and Sri Ajay Kumar Kulkarni representing for Sri B. Narsimha Sarma, who took notice on behalf of the Respondent No.2 and Sri B. Mukherjee, representing Asst. Sol. Gen. who took notice on behalf of the Respondent No.4, directed issue of notice to the Respondents herein to show cause as to why this WRIT PETITION should not be admitted.

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1. The Adjudicating Authority, (SAFEM(FOP)A and NDPSA), UTSAV, 64/1, G.N. Chetty Road, T. Nagar, Chennai-600017
2. Assistant Commissioner of Income Tax, (Initiating Officer) Benami Transactions Prohibition Unit, Hyderabad 3rd Floor, Aayakar Bhavan, Basheerbagh, Hyderabad- 500004
3. Satti Suryanarayana Reddy, S/o. Satti Somi Reddy, H.No.7-10, Peethavalava Village, Kruthivenu Mandal, Krishna District, Andhra Pradesh-521324
4. The Secretary, Union of India, North Block, New Delhi

are directed to show cause on or before 13-09-2022 to which date the case stands posted as to why in the circumstances set out in the petition and the affidavit filed therewith (copy enclosed) this WRIT PETITION should not be admitted.

IA NO: 2 OF 2022

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 stay the operation of the impugned Order No. OCA/MDS/332/2021- PBPT dt.25.03.2022 by the 1st respondent, pending disposal of WP No. 34755 of 2022, on the file of the High Court.

The Court made the following:

ORDER:

Heard Ms. Anushka Rastogi, learned counsel for the petitioners.

Issue notice.

Mr. Ajay Kumar Kulkarani, learned counsel representing Mr. B. Narsimha Sarma, learned Standing Counsel for the Income Tax Department appears for respondent No.2.

Mr. B. Mukherjee, learned counsel representing learned Assistant Solicitor General of India appears for respondent No.4 in W.P.Nos.34670, 34676, 34687 & 34755 of 2022 and respondent No.6 in W.P.No. 34691 of 2022.

Petitioner to serve respondent No.3 in W.P.Nos.34670, 34676, 34687 & 34755 of 2022 and respondent No.3 to 5 in W.P.No.34691 of 2022 personally and thereafter, file proof of service.

In the meanwhile, there shall be interim stay as prayed for.

List these matters along with W.P.Nos.34454 and 33191 of 2022 on 13-09-2022.

//TRUE COPY//

SD/- K. SHYLESI
DEPUTY REGISTRAR


SECTION OFFICER

To,

1. The Adjudicating Authority, (SAFEM(FOP)A and NDPSA), UTSAV, 64/1, G.N. Chetty Road, T. Nagar, Chennai-600017
2. Assistant Commissioner of Income Tax, (Initiating Officer) Benami Transactions Prohibition Unit, Hyderabad 3rd Floor, Aayakar Bhavan, Basheerbagh, Hyderabad- 500004
3. Kovvuri Sai Venkata Satya Narayana Reddy, S/o Kovvuri Sufi Reddy, H. No. 7-8, Peethalava Village, Kruthivenu Mandal, Krishna District, Andhra Pradesh - 521324.
4. The Secretary (Revenue), Union of India, North Block, New Delhi.
5. Satti Ganga Bhavani, W/o. Satti Suryanarayana Reddy, H.No. 7-10, Peethalava Village, Kruthivenu Mandal, Krishna District, Andhra Pradesh - 521 324.
6. The Adjudicating Authority, (SAFEM(FOP)A and NDPSA), Shastri Bhavan, 4th Floor, New Building Complex, No.26, Haddows Road, Chennai-600006.
7. Ainala Parameshwar Rao, S/o Ainala Bogaiah, D No 11-46, Yadavalli Village, Kalindindi Mandal, Krishna District, Andhra Pradesh - 521344.
8. Goluguri Bhaskar Reddy,, S/o. Suri Reddy, Ramakrishna Reddy Nagar, Penumantra, West Godavari District, Andhra Pradesh- 534124
9. Bokka Srinivas Rao, S/o. Bokka Sahadevudu, D.No.9-6, S.N.Nagar, Kalidindi Mandal, Krishna District, Andhra Pradesh- 521 344
10. M/s. Nakshatra Feeds Ltd, (Represented by its Managing Director) D.No. 48-19-4, Samatha Residency, Ramachandra Nagar, Vijayawada- 520 008
11. Satti Suryanarayana Reddy, S/o. Satti Somi Reddy, H.No.7-10, Peethavalava Village, Kruthivenu Mandal, Krishna District, Andhra Pradesh-521324. (1 to 11 by RPAD- along with a copy of petition and memorandum of grounds)
12. One CC to SRI YAMMANURU SIRI REDDY Advocate [OPUC]
13. Two spare copies

mvj

HIGH COURT

HCJ & CVBRJ

DATED:06/09/2022

List these matters along with W.P.Nos.34454 and 33191 of 2022 on
13-09-2022

NOTICE BEFORE ADMISSION

WRIT PETITION NOS: 34670, 34676, 34687, 34691 & 34755 OF 2022

STAY

