

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

WEDNESDAY, THE NINETEENTH DAY OF MARCH  
TWO THOUSAND AND TWENTY FIVE

**PRESENT**

**THE HONOURABLE THE ACTING CHIEF JUSTICE SUJOY PAUL  
AND**

**THE HONOURABLE SMT JUSTICE RENUKA YARA**

**WRIT PETITION NO: 7019 OF 2025**

**Between:**

M/s. Chilukuri Enterprises LLP, Rep by Mahender Reddy Chilukuri, Managing Partner Nagaram Keesara, Kushi Garden, Plot No.101, Hyderabad, Medchal Malkajgiri, Telangana - 500083.

**.....PETITIONER**

**AND**

1. The Union of India, Represented by its Secretary, Department of Revenue, Ministry of Finance, North Block, New Delhi- 11000.
2. The Commissioner of Customs and Central Tax, Medchal GST Commissionerate, III Floor, Medchal GST Bhavan, 11-4-649/B, Lakdikapul, Hyderabad - 500 004.
3. The Superintendent of Central Tax, Keesara GST Range, Medchal GST Division, Plot no.16 and 21, Aditya Towers, Sri Sai Enclave, Old Bowenpally, Secunderabad.
4. The Assistant Commissioner (AE), Office of the Principal Commissioner of Central Tax, Ranga Reddy GST Commissionerate, VIP Hills, Madhapur, Hyderabad.
5. The Deputy Director, DGGI, HZU, H.No.1-63/2/2-12, Plot No.212 and 213, Block B, Kavuri Hills, Madhapur, Hyderabad.

**.....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 direction or Orders, more particularly in the nature of a writ of Mandamus or any other appropriate Writ, declaring the impugned notice vide REG-17 bearing Reference No. ZA360225146953E dated 27-02-2025 cancelling

the registration of petitioner as illegal and violation of Article 19(1)(g) and 300A of the Petitioner.

**I.A.NO:1 OF 2025**

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 Respondent No. 3 to suspend the operation of the impugned notice vide REG-17 bearing Reference No. ZA360225146953E dated 27-02-2025 and allow operation of registration of the Petitioner, pending disposal of this writ petition.

**Counsel for the Petitioner : SRI M.UMASHAANKAR, LEARNED COUNSEL  
APPEARING FOR SRI PUPPALA BHARATH NANDAN**

**Counsel for the Respondent No.1 : SRI GADI PRAVEEN KUMAR, DEPUY  
SOLICITOR GENERAL OF INDIA**

**Counsel for the Respondent Nos.2 to 5 : SRI DOMINIC FERNANDES, LEARNED  
SENIOR COUNSEL FOR CBIC**

**The Court made the following ORDER**

**THE HON'BLE THE ACTING CHIEF JUSTICE SUJOY PAUL**

**AND**

**THE HON'BLE SMT. JUSTICE RENUKA YARA**

**WRIT PETITION No.7019 of 2025**

**ORDER:** *(Per the Hon'ble the Acting Chief Justice Sujoy Paul)*

Sri M.Umashankar, learned counsel appearing for Sri P.Bharath Nandan, learned counsel for the petitioner and Sri Dominic Fernandes, learned Senior Standing Counsel for CBIC, for respondent Nos.2 to 5.

2. Heard on admission.
3. This writ petition assails the show cause notice dated 27.02.2025, whereby the petitioner's registration is suspended and it is directed to file reply by 10.03.2025.
4. Criticizing the impugned show cause notice, learned counsel for the petitioner submits that this is the second visit of the petitioner to this Court. Earlier, respondents issued a show cause notice dated 30.10.2024 which resulted with issuance of the order of cancellation of registration of the petitioner dated 21.01.2025. However, when the petitioner assailed the same in the previous

round i.e., W.P.No.2210 of 2025, the respondents decided to drop the proceedings by order dated 29.01.2025 and thereafter, issued the impugned show cause notice dated 27.02.2025.

5. The singular and principal contention of learned counsel for the petitioner is based upon the judgment of the High Court of Judicature for Andhra Pradesh at Hyderabad in **SBQ Steels Limited v. Commissioner of Customs, Central excise and Service Tax, Guntur**<sup>1</sup>. It is submitted that when the show cause notice shows that a conclusion has been drawn, it is an idle ceremony to ask the petitioner to file reply and the show cause notice itself can be interfered with.

6. Learned Standing Counsel, on the other hand, submits that the language employed in the show cause notice shows that it is only tentative in nature and whatever is averred is in the shape of only 'allegations'. No 'conclusions' have been drawn. The attention of this Court is drawn to paragraph No.16 of the show cause notice which reads thus:-

"16. As M/s Chilukuri has contravened the Section 16(2)(c) as mentioned above, the registration of the M/s Chilukuri

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<sup>1</sup> 2014 (300) E.L.T.185 (A.P.)

Enterprises LLP., GSTIN: 36AASFC7335E1Z9, appears to be liable for cancellation under **Rule 21(e) of the CGST Rules, 2017**. Accordingly, registration is suspended with effective from 27.02.2025.”

7. We have heard the learned counsel for the parties.
8. A conjoint reading of paragraph Nos.11 and 16 of the show cause notice shows that the averments are in the nature of ‘allegations’ and not ‘conclusions’. Thus, the judgment in **SBQ Steels Limited** (supra) is of no assistance to the petitioner.
9. This is trite that interference by the writ court at the stage of show cause notice can be made on limited grounds. The petitioner has not assailed the show cause notice on the ground of lack of competence. The Apex Court in **Special Director v. Mohd. Ghulam Ghouse**<sup>2</sup> opined that the scope of interference on show cause notice is limited. It was held as under:

“5... Whether the show-cause notice was founded on any legal premises, is a jurisdictional issue which can be even be urged by the recipient of the notice and such issues also can be adjudicated by the authority issuing the very notice initially, before the aggrieved could approach the court...”

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<sup>2</sup> (2004) 3 SCC 440

10. In view of the aforesaid judgment, we find no reason to interfere in the instant case. If the petitioner files its reply within ten days from today, the authorities shall consider the reply and take a decision in accordance with law.

11. The admission is declined and the writ petition is **dismissed** with the aforesaid observations. No order as to costs.

Miscellaneous petitions pending, if any, shall stand closed.

//TRUE COPY//

SD/-N. SRIHARI  
ASSISTANT REGISTRAR

  
SECTION OFFICER

To

1. One CC to SRI PUPPALA BHARATH NANDAN, Advocate [OPUC]
2. One CC to SRI GADI PRAVEEN KUMAR, DEPUTY SOLICITOR GENERAL OF INDIA Advocate [OPUC]
3. One CC to SRI DOMINIC FERNANDES, LEARNED SENIOR COUNSEL FOR CBIC, Advocate (OPUC)
4. Two CD Copies

SA  
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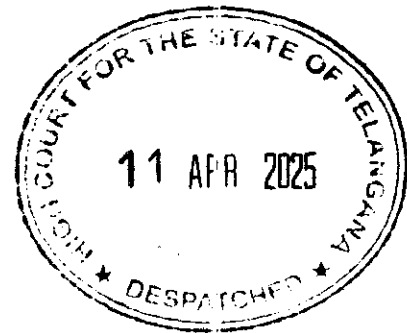
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**HIGH COURT**

**DATED:19/03/2025**

**ORDER**

**WP.No.7019 of 2025**



**DISMISSING THE W.P  
WITHOUT COSTS.**

① PA  
29/3/25