IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE NINETEENTH DAY OF JANUARY
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE THE CHIEF SRI JUSTICE APARESH KUMAR SINGH

AND

THE HONOURABLE SRI JUSTICE G.M. MOHIUDDIN

WRIT PETITION NO: 1388 OF 2026

Between:

Manikanta Electronics Services Center, Plot No.125, NP, Jai Sreeram Colony, Road No.5, Chengicherla, Medipally Previously at. 12-2-8-293/4, Sai Nagar Colony, Hunter Road, Warangal - 506002 Represented by its Proprietor. Ramakrishna Gundeboina

...PETITIONER

AND

1. State of Telangana, Department of Commercial Tax, Represented by its Secretary
2. The Assistant Commissioner (ST), Warangal Urban-II, Warangal
3. The Deputy State Tax Officer, Warangal Urban-II, Warangal
4. IDFC First Bank,, Warangal Branch, Building No 157, GMR and GS Complex, Nakkala Gutta, Warangal, Hanamkonda - 506001 Rep by its Branch Manager

...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 Certiorari, calling for records and quashing the impugned order dated 22.08.2024 issued by Respondent No.2 bearing Reference No. ZD360824084596R dated 22.08.2024 and the order for rectification of error dated 26.11.2025 bearing Reference No.AD3611250076954 on the ground that the same is violative of principles of natural justice, contrary to the provisions of

Central Goods and Services Tax Act, 2017 and Telangana Goods and Services Tax Act, 2017.

IA NO: 2 OF 2026

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 attachment of bank account of the Petitioner bearing account no. 10111990145 held with Respondent No.4 bank.

IA NO: 3 OF 2026

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 all further proceedings including recovery of tax pursuant to the impugned order bearing Reference No. ZD360824084596R dated 22.08.2024 and the order for rectification of error dated 26.11.2025 bearing Reference No.AD3611250076954.

Counsel for the Petitioner : SRI. KAILASH NATH P. S. S

Counsel for the Respondents No 1 To 3: SRI SWAROOPA OORILLA,
SPECIAL GOVT PLEADER FOR STATE TAX

Counsel for the Respondent No 4: -----

The Court made the following: ORDER

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

THE HON'BLE THE CHIEF JUSTICE SRI APARESH KUMAR SINGH
AND
THE HON'BLE SRI JUSTICE G.M.MOHIUDDIN

WRIT PETITION No. 1388 of 2026

DATED : 19.01.2026

Between:

Manikanta Electronics Services Center

... Petitioner

AND

State of Telangana, Department of Commercial Tax, Represented by its Secretary and three others

... Respondents

ORDER:

Sri Kailash Nath P S S, learned counsel appears for petitioner.

Sri Swaroop Oorilla, learned Special Government Pleader for State Tax appears for respondent Nos.1 to 3.

2. The order dated 22.08.2024 imposes tax liability along with interest and penalty upon the petitioner for the period 2019-2020 which has been assailed in the instant Writ Petition primarily on the ground that after cancellation of his GST registration on 21.06.2021 on voluntary application, indicating

zero tax liability, there was no reason for the petitioner to keep checking upon the portal. The order impugned has been passed pursuant to the show cause notice dated 28.05.2024 after three (3) years of cancellation of his registration. The petitioner had sought voluntary cancellation of registration as his business of installation and servicing of electronic appliances was not encouraging. The application for rectification has also been rejected on 26.11.2025 on the ground that the petitioner is seeking reexamination of the entire subject matter which is not within the scope of Section 161 of the Goods and Services Tax Act, 2017 (for short 'the Act'). The petitioner had also not appeared for hearing despite notice.

3. The learned counsel for the petitioner submits that if the matter is remanded, the petitioner would be able to properly defend himself before the Proper Officer. He has relied upon the decision of Allahabad High Court in the case of **M/s. Katyal Industries v. State of UP and two others**[1] in support of his submissions.

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[1] 2024(2) TMI 1447

4. The learned Special Government Pleader for State Tax submits that in terms of Section 29(3) of the Central Goods and Services Tax Act, 2017, cancellation of registration does not wipe out any liability which may be detected for the period prior to the cancellation. The petitioner also cannot claim to have no obligation to check the portal where the impugned order was duly intimated. Even during the proceedings of rectification, he did not appear for hearing despite notice. He submitted that the petitioner may prefer an appeal against the impugned order with all grounds of law and on facts as may be available to him which may be considered by the appellate authority in accordance with law.

5. We have considered the submissions of the learned counsel for the parties and taken note of the materials placed on record.

6. We are of the considered view that cancellation of registration does not absolve the taxpayer of any existing liability which the petitioner may have to face. The order

impugned deals with tax liability for the period 2019-2020 on the ground that he had failed to declare correct input/output taxes in his returns which warranted a notice under Section 73 of the Act. A show cause notice was also served upon him along with DRC-01 under Rule 142(2)/142(3) of the Central Goods and Services Tax Rules, 2017, through common portal calling for objections and also an option to pay the tax shown in the notice in DRC-03 by 30.06.2024. Despite a remainder notice, the taxpayer did not file any reply. Three/four reminders and personal hearing were also given. Therefore, the assessing authority proceeded to impose tax and penalty for the relevant period.

7. Having regard to the aforesaid facts and circumstances, we are unable to accept the contention of the petitioner that the impugned order suffers from any infirmity which requires interference for reconsideration. However, the petitioner has a liberty to prefer an appeal taking all grounds of law and on facts. If he prefers such appeal within a period of two (2)

weeks with statutory pre-deposit, the appellate authority would consider it in accordance with law.

The instant Writ Petition is accordingly disposed of. There shall be no order as to costs.

Miscellaneous applications, if any pending, shall stand closed.

Sd/-T.SRINIVASA REDDY
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Secretary, State of Telangana, Department of Commercial Tax,
2. The Assistant Commissioner (ST), Warangal Urban-II, Warangal
3. The Deputy State Tax Officer, Warangal Urban-II, Warangal
4. One CC to SRI. KAILASH NATH P .S. S, Advocate [OPUC]
5. Two CCs to Special Govt Pleader for State Tax, High Court for the State of Telangana at Hyderabad. [OUT]
6. Two CD Copies

DAN
PMK

HIGH COURT

DATED:19/01/2026

ORDER

WP.No.1388 of 2026

DISPOSING OF THE WRIT PETITION

WITHOUT COSTS

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kpo
31/1/26