

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

WEDNESDAY, THE SEVENTEENTH DAY OF JUNE  
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE THE CHIEF JUSTICE SRI APARESH KUMAR SINGH  
AND  
THE HONOURABLE SRI JUSTICE G.M. MOHIUDDIN

WRIT PETITION NO: 18416 OF 2026

**Between:**

M/s S.Shivraj Reddy Constructions, 3-6-69/B/13, Sri Giri Nilayam, Avanthinagar Colony, Basheerbagh, Hyderabad - 500029, represented by its Managing Partner, Sri S.Giriprasad Reddy.

...PETITIONER

AND

1. Assistant Commissioner (ST), Hyderguda - Ashoknagar Circle, Abids Division, Hyderabad.
2. The Director, Mines and Geology Department, Government of Telangana, Telangana Secretariat, Hyderabad.
3. The Assistant Director, Mines and Geology, Department of Mines and Geology Mahabubnagar.
4. Union of India, represented by its secretary, Department of Revenue, Ministry of Finance, North Block, New Delhi.
5. The State of Telangana, represented by its Principal Secretary, Revenue Department (Commercial Taxes). Telangana Secretariat, 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 Writ or order or direction particularly one in the nature of Writ of Mandamus setting aside impugned show cause notice in Form GST DRC - 01, dated 25.03.2026, in DIN No.GST/36AANFS4155M1ZL, passed by the first respondent for the tax period 2023 - 24, in seeking to levy GST under the provisions of the Central

Goods and Services Tax Act, 2017, and Telangana Goods and Services Tax Act, 2017, on the payment of Royalty and other ancillary amounts in terms of Section 9 of the Mines and Mineral (Development and Regulation) Act, 1957, as illegal, arbitrary, without authority of law in the light of binding precedent of Seven Judges Bench of the Hon'ble Supreme Court in the case of **India Cements Vs. State of Tamilnadu (1990) 1 SCC 12**.

**I.A. NO: 1 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 pending disposal of the Writ Petition grant stay of all further proceedings arising in pursuance of the impugned show cause notice in Form GST DRC —01, dated 25.03.2026, in DIN No.GST/36AANFS4155M1ZL, passed by the first respondent for the tax period 2023 – 24.

**Counsel for the Petitioner: SRI S.SURI BABU**

**Counsel for the Respondent Nos.1&5: SRI SWAROOP OORILLA,  
SPECIAL GP FOR STATE TAX**

**Counsel for the Respondent Nos.2&3: GP FOR MINES & GEOLOGY**

**Counsel for the Respondent No.4: SC FOR CENTRAL GOVT**

**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.18416 of 2026**

**DATED: 17.06.2026**

**Between:**

M/s. S. Shivraj Reddy Constructions,  
Rep., by its Managing Partner, Sri S. Giriprasad Reddy,  
Hyderabad.

... Petitioner

**AND**

Assistant Commissioner (ST),  
Hyderguda-Ashoknagar Circle,  
Abids Division, Hyderabad and 4 others.

... Respondents

**ORDER:**

Mr. S. Suri Babu, learned counsel for the petitioner appears through video conferencing.

Mr. Swaroop Oorilla, learned Special Government Pleader appears for State Tax.

2. The petitioner is a firm engaged in the business of extracting minor and major minerals. Petitioner entered into Memorandum of Understanding-cum-Agreement with M/s. Reya Minerals on 23.10.2020 for working in the quarry and to handle all the raising, crushing and marketing operations of the quarry on royalty payment basis. Petitioner submits that on the information furnished by the Senior Audit Officer, Office of the Accountant General, Hyderabad, respondent No.1 issued Form GST DRC-01 dated 25.03.2026 in DIN No.GST/36AANFS4155M1ZL for the

financial year 2023-24, and asked the petitioner to pay the tax along with interest on the net tax payable in DRC-03. If the petitioner is not agreeing with the proposals in the said show cause notice, it may file its objections within (15) days from the date of receipt of the notice. Aggrieved by the said show cause notice, the petitioner filed the instant writ petition.

3. Learned counsel for the petitioner submits that this Court in similar Writ Petitions granted interim stay of the show cause notice issued in respect of levy of tax on royalty and therefore, prays to set aside the impugned show cause notice.

4. Learned Special Government Pleader for State Tax submits that if the petitioner submits objections to the show cause notice, the same may be considered by the adjudicating officer. If the petitioner is aggrieved by the adjudication order, it may approach this Court in appropriate proceedings.

5. After hearing learned counsel for the parties and having regard to the facts and circumstances, the petitioner is directed to participate in the proceedings by filing objections to the impugned show cause notice. If the petitioner is aggrieved by the adjudication order, it is at liberty to assail the same in appropriate proceedings.

6. Accordingly, the writ petition is disposed of. No order as to costs.

Miscellaneous applications, if any pending, shall stand closed.

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**SDI-K. AMMAJI**  
**DEPUTY REGISTRAR**

**SECTION OFFICER**

To,

1. The Assistant Commissioner (ST), Hyderguda - Ashoknagar Circle, Abids Division, Hyderabad.
2. The Director, Mines and Geology Department, Government of Telangana, Telangana Secretariat, Hyderabad.
3. The Assistant Director, Mines and Geology, Department of Mines and Geology Mahabubnagar.
4. The secretary, Union of India, Department of Revenue, Ministry of Finance, North Block, New Delhi.

5. The Principal Secretary, Revenue Department (Commercial Taxes).  
Telangana Secretariat, Hyderabad, State of Telangana,.
6. One CC to SRI S.SURI BABU, Advocate [OPUC]
7. One CC to SC FOR CENTRAL GOVT [OPUC]
8. Two CCs to SRI SWAROOP OORILLA, SPECIAL GP FOR STATE TAX, High  
Court for the State of Telangana at Hyderabad . [OUT]
9. Two CCs to GP FOR MINES & GEOLOGY, High Court for the State of  
Telangana at Hyderabad . [OUT]
10. Two CD Copies

PMK  
BS



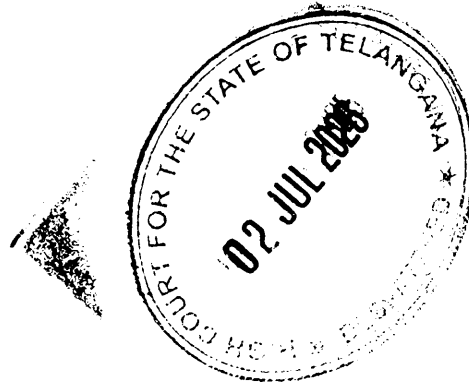
HIGH COURT

CC TODAY

DATED: 17/06/2026

ORDER

WP.No.18416 of 2026



DISPOSING OF THE WRIT PETITION

WITHOUT COSTS

(14) kpr  
25/6/26