HON’BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE

AND

THE HON’BLE SRI JUSTICE S.V. BHATT

<u>WRIT PETITION No.8508 of 2015</u>

Dt: 03.06.2015

Between:

Choppa Venkateswarlu

& another.

… Petitioners

And

The State of A.P., rep., by its Secretary,

Municipal Administration,

Hyderabad and others

… Respondents

HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE

AND

THE HON'BLE SRI JUSTICE S.V. BHATT

WRIT PETITION No.8508 of 2015

PC: (per the Hon'ble the Acting Chief Justice Dilip B. Bhosale)

Heard learned counsel for the petitioners and respondent Nos.1 and 2.

The petitioners, in the instant writ petition, seek the following relief:

> "For the reasons stated in the accompanying affidavit, it is prayed that this Hon'ble Court may be pleased to issue a Writ, order or direction, more particularly one in the nature of Writ of Mandamus, to declare the action of respondent No.2 for not assessing the property tax to the individual shops and thereby threatening the petitioners for dispossession of their respective shops 1 and 2, is illegal, arbitrary, high handed and in violation of Articles 14, 21 of Constitution of India and consequently direct respondent No.2 to conduct property assessment for each shop of the petitioners and fix a reasonable property tax for shop Nos.1 and 2 of Nedurumalli Rajyalaxmi Complex, Periyavaram Village, Venkatagiri Mandal, Nellore District, and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case."

In the course of hearing, we made certain suggestions to learned counsel for the petitioners and respondent Nos.1 and 2 and they have agreed for the following order:

"Petitioners shall deposit tax in respect of the shops in their possession with respondent No.2 within a period of two weeks from today. If they deposit the tax of their share in respect of the shops in their possession, respondent Nos.1 and 2 shall not take coercive action against them. This, however, shall not preclude respondent Nos.1 and 2 from taking appropriate action against respondent Nos.3 and 4 or the persons in occupation of the remaining shop premises to recover the tax."

With these observations, the writ petition is disposed of.

Consequently, miscellaneous petitions, if any, also stand disposed of.

DILIP B. BHOSALE, ACJ

S.V. BHATT, J

Dt:03.06.2015

kdl