

HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH

THE HON'BLE THE CHIEF JUSTICE SRI KALYAN JYOTI SENGUPTA

AND

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No. 11403 OF 2015

DATE: 21.04.2015

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Between:

M/s. Reliance Infratel Limited,
Hyderabad.

... Petitioner

And

Madanapalle Municipality, rep., by its Commissioner,
Madanapalle, Chittoor District.

... Respondent

This Court made the following:

THE HON'BLE THE CHIEF JUSTICE SRI KALYAN JYOTI SENGUPTA

AND

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No. 11403 of 2015

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ORDER: (Per the Hon'ble the Chief Justice Sri Kalyan Jyoti Sengupta)

Heard the learned counsel appearing for the parties.

We are of the view that we should not keep this matter pending and accordingly dispose of the same.

We are of the view that obviously, the Court will not decide the issue raised herein. It appears factually that without serving any notice proposing to impose the property tax or giving a hearing, the demand has been issued. We, therefore, keep the notice of demand in abeyance till such time as we direct. We also direct the Commissioner to give notice to the petitioner inviting it to participate in the hearing. The petitioner would be free to raise all the contentions, as has been raised before us. It is such a case which can be considered and decided by the Commissioner alone and not by anyone else. The Commissioner himself will decide the matter by passing a speaking order. The entire exercise shall be completed within a period of six weeks from the date of receipt of a copy of this order. The respondent Municipality shall take all measures to restore the power supply forthwith. If it is not done, the Station House Officer of the local police station concerned is directed to see that the power supply shall be restored in terms of this order.

The writ petition is accordingly disposed of. Pending miscellaneous petitions, if any, shall stand closed. No costs.

K.J. SENGUPTA, CJ

SANJAY KUMAR, J

Date: 21.04.2015

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