

HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE

AND

HON'BLE SRI JUSTICE S.V. BHATT

WRIT PETITION No. 1778 OF 1999

10-06-2015

Between:

Macherla Rajeswari and another

... Petitioners

And

The State of Andhra Pradesh, rep., by its Secretary, Panchayat Raj Department,
Government of Andhra Pradesh, Secretariat Buildings, Hyderabad and another

... Respondents

-

-

-

HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE

AND

HON'BLE SRI JUSTICE S.V. BHATT

-

WRIT PETITION No. 1778 OF 1999

-

ORDER: (per the Hon'ble Sri Justice S.V. Bhatt)

The petitioners pray for mandamus declaring the levy and demand of property tax through notices dated 13-12-1997 by the 2nd respondent, as arbitrary and illegal.

Through order dated 22-12-1999, this Court granted interim stay of recovery of property tax demanded through the impugned notices, subject to the petitioners depositing Rs.10,000/- within three weeks from that date.

At the hearing of writ petition, the learned counsel appearing for petitioners brought to our notice that the petitioners have complied with the condition imposed through interim order dated 22-12-1999. He, however, contends that the very issue of impugned notices is illegal, the same were issued without considering the representation/explanation given by the petitioners, at any rate, the amount demanded is contrary to law and liable to be set aside.

Having regard to the interim order passed by this Court on 22-12-1999 and also the fact that the petitioners have complied with the condition imposed by this Court, with a view to afford an opportunity to the petitioners, we are satisfied that the writ petition can be disposed of with the following order:

“The petitioners are given four weeks time from the date of receipt of a copy of this order to make representation to the 2nd respondent on the impugned notices in the writ petition along with a copy of this order and on receipt of such representation, the 2nd respondent is directed to consider the representation and pass appropriate orders in accordance with law. It is needless to observe that the 2nd respondent adverts to the objections raised in this behalf by the petitioners and appropriate orders passed, communicated to petitioners. Till appropriate orders are passed and communicated by the 2nd respondent, the interim order granted pending the writ petition shall continue.”

The writ petition is accordingly disposed of.

Miscellaneous petitions, if any, also stand disposed of. No order as to costs.

DILIP B. BHOSALE, ACJ

S.V. BHATT, J

10-06-2015

ks