

HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE

AND

THE HON'BLE SRI JUSTICE S.V. BHATT

W.P.No.856 OF 2005

ORDER: *(Per the Hon'ble the Acting Chief Justice Dilip B. Bhosale)*

This writ petition challenges the demand notices dated 10.01.2015 issued by the respondent demanding property tax in respect of petitioners' premises bearing Nos.16-139 and 16-141, Mirjalguda, Malkajgiri, Ranga Reddy District, being illegal and contrary to the provisions of the Andhra Pradesh Municipalities Act, 1965 (for short 'the Act').

Petitioners claim that they are educational institution and are exempted from payment of property tax. It is not in dispute that the respondent Corporation did not examine their claim either before or after issuing the impugned demand notices. Keeping that in view, we suggested to the learned counsel for the parties that let the Corporation consider the claim of the petitioners and then proceed to recover the tax demanded by them, if they reject it. They agreed for the same. In view thereof, we are satisfied that the writ petition can be conveniently disposed of by the following order:

"The petitioners are directed to make representation seeking exemption from payment of property tax within a period of four weeks from today. On such representation being made by the petitioners, the respondent Corporation shall consider and decide the same as expeditiously as possible and preferably within a period of 12 weeks from the date of their representation.

The petitioners, along with their application, shall deposit the entire property tax, as demanded after deducting the tax deposited by virtue of the order passed by this Court, within four weeks from today. The payment would be without prejudice to the rights and contentions of the petitioners."

With these observations, the writ petition is disposed of.

No costs.

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

DILIP B. BHOSALE, ACJ

S.V.BHATT, J

Date: 10.09.2015

Stp/Lrkm