

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

HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE

AND

HON'BLE SRI JUSTICE S.V. BHATT

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WRIT PETITION No. 26919 OF 2007

Date: 18.11.2015

Between:

Nagadevara Chalamaiah & others.

... Petitioners

And

The District Collector (Panchayat Raj Wing),

East Godavari District, Kakinada,

& others.

... Respondents

HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE

AND

HON'BLE SRI JUSTICE S.V. BHATT

WRIT PETITION No. 26919 OF 2007

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

Heard learned counsel for the parties.

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

“For the reasons stated in the accompanying affidavit, it is hereby prayed that this Hon'ble Court may be pleased to issue a writ, order or direction more especially in the nature of Mandamus declaring the action of 3rd respondent Gram Panchayat enhancing house tax at the rate of 40% with effect from 01.04.2007 vide notice Rc.No.36/2007 dated 12.07.2007 is illegal, arbitrary and contrary to G.O.Ms.No.98, PR & RD dated 14.03.2002 and consequently to direct the 3rd Respondent Gram Panchayat to follow G.O.Ms.No.98 , PR & RD dated 14.03.2002 for hiking house tax and to pass such other order or orders as this Hon'ble Court may deem fit and proper on the circumstances of the case.”

Having regard to the nature of the prayer and the interim order passed by this Court on 18.12.2007, learned counsel for the parties have agreed for the following order:

“The concerned authority shall treat affidavit in support of the writ petition itself as representation in response to notice, dated 12.07.2007, and consider the same, after granting an opportunity of being heard to the petitioners, on merits in accordance with law, as expeditiously as possible and preferably within a period of twelve weeks from the date of receipt of this order.

Petitioners are directed to produce copy of this order along with copy of the writ petition and its annexures including affidavit in support of the writ petition before the concerned authority within a period of two weeks from today. Learned counsel for the respondents is also directed to communicate this order to the concerned authority within a period of two weeks from today. All contentions of the parties are kept open.”

With these observations, writ petition is disposed of.

Miscellaneous petitions, if any, shall also stand disposed of. There shall be no order as to costs.

DILIP B. BHOSALE, ACJ

S.V. BHATT, J

Date: 18.11.2015

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