

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

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WRIT PETITION No.38242 of 2012

Between:

Sunchu Rajamallu

.. Petitioner

and

Warangal Municipal Corporation, Rep.by its Commissioner, Warangal,
Warangal District.

.. Respondent

DATE OF JUDGMENT PRONOUNCED: 10.8.2015

SUBMITTED FOR APPROVAL:

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THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

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|--|--------|
| 1. Whether Reporters of Local newspapers
may be allowed to see the Judgments? | Yes/No |
| 2. Whether the copies of judgment may be
marked to Law Reporters/Journals? | Yes/No |
| 3. Whether Their Ladyship/Lordship wish to
see the fair copy of the Judgment? | Yes/No |

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.38242 of 2012

ORDER:

This writ petition is filed seeking to issue a writ of *Mandamus* to

declare the action of the respondent in not incorporating the total extent of the petitioner's house bearing Municipal No.6/601/1 (old), 6-4-84 (new) situated at Brahminwada, Hanamkonda, Warangal District in the Tax Assessment Register/records in spite of submitting written representation, dated 20.11.2012, as illegal and arbitrary, and consequently, to direct the respondent Corporation to incorporate the total extent of the above said premises in the municipal records.

2. Case of the petitioner is that he is the absolute owner of the aforementioned house by virtue of a Will, dated 10.2.1981. Basing on the will, his name was mutated in the records of the respondent Corporation vide proceedings, dated 23.2.2004, but the total extent of 435 sq.yards appurtenant to the said house was not recorded in the municipal records. The petitioner obtained property tax assessment copy from the respondent Corporation and at that time, he noticed that the total extent of 435 sq.yards is not recorded in the records. He submitted representations for entering the total extent in respect of the above said premises in the municipal records for the purpose of property tax assessment. As no action has been taken by the respondent Corporation, he filed W.P.No.18235 of 2006 seeking a direction to the respondent Corporation to enter the total extent of his property in the municipal records and the same was disposed of by directing the respondent to dispose of his representation, dated 6.5.2005, within a period of four weeks. Subsequent to the said orders, the petitioner approached the respondent and communicated the copy of the order with a request to implement the same, but the authorities of the respondent Corporation issued notice, dated 01.12.2006, with a request to furnish him the copy of the representation, dated 6.5.2005. Though the petitioner submitted the said representation and even after repeated visits, the respondent authorities did not take any action. Thereafter, on 20.11.2012, the petitioner made another representation, but in vain. Hence, he filed the present writ petition.

3. Heard both sides.

4. Since it is stated that the representation, dated 20.11.2012, of the petitioner is pending before the respondent Corporation, it is for the respondent Corporation to consider the same and pass orders in accordance with law. The petitioner has to file necessary documents showing that he is the owner of total extent of 435 sq.yards appurtenant to the aforementioned house and on filing such documents, the respondent Corporation shall dispose of the representation, dated 20.11.2012, of the petitioner in accordance with law, within a period of four (4) weeks from the date of receipt of a copy of this order.

5. With the above direction, the Writ Petition is disposed of. There shall be no order as to costs.

6. Miscellaneous Petitions pending, if any, in this Writ Petition shall stand closed.

JUSTICE A.RAJASHEKER REDDY

Date: 10.8.2015
AMD

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THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

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DATE: 10.8.2015

AMD