

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.26705 of 2015

DATED : 24.08.2015

Between :

S.M.Sunny S/o.Khanbahadur Khan @ Thippanna Rao,
Aged about 60 yrs, Occu : Retired Employee,
R/o.No.480, Burugal Mutt Road, VV.Puram,
Bangalore 560 027, Karnataka State.

.. Petitioner

and

The State of Andhra Pradesh,
Rep., by its Principal Secretary,
Municipal Administration & Urban Development Department,
Secretariat, Hyderabad & another.

.. Respondents

This court made the following :

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ORDER :

Heard learned counsel for petitioner and Sri Md. Saleem, learned Standing counsel for the Respondent No. 2 and with their consent, the writ petition is taken up for disposal at the admission stage.

2. This writ petition is filed questioning the action of the respondent authorities in not taking action on the representation of the petitioner dated 30.06.2015 regarding demolition of the petitioner's old building bearing D.No.7-7-1, VD Road,/Power Office Road, Hindupur, Anantapur District, which is in ruinous condition and further to exempt from assessment in the office records.

3. The petitioner and his brother are the absolute owners of the house bearing D.No.7-7-1, VD Road/Power Office Road, Hindupur, Anantapur District. That his father constructed the said house about 80 years back and apart from that the petitioner has also other landed properties to an extent of Ac.1.36 cents in Part II of R.S.No.73B2 at VD Road/Power Office Road, Hindupur, Anantapur District. The petitioner alleges that he and his family resided in the said house till the year 2000 and thereafter they have shifted to Bangalore, and that nobody is residing in the said house. But the petitioner is paying property tax as determined by the respondent authorities, without any default. He further alleges that as the building has become old, the local residents complained that there is danger to their life and property, the petitioner and his brother have decided to

dismantle the building and to dispose of the same. He further alleges that when the building was put for sale, the buyers have expressed their problem with regard to payment of stamp duty to building and to demolish first and to represent to the respondent-Municipality requesting to exempt from payment of property tax in their records. He further alleges that several requests were made to the respondent authorities. As the authorities have not responded, on 30.06.2015 the petitioner and his brother submitted a representation to the 2nd respondent to consider their grievance with regard to condition of building and exemption of payment of property tax. But so far no orders are passed. Hence, this writ petition.

4. When the matter is taken up, both counsel agreed for disposal of the writ petition with a direction to the respondent authorities to expeditiously dispose of the representation dated 30.06.2015 submitted by the petitioner.

5. Having regard to the same, without expressing any opinion on the merits of the matter, writ petition is disposed of directing the respondent authorities to consider the representation of the petitioner dated 30.06.2015 and pass appropriate orders as warranted under law within a period of six weeks from the date of receipt of copy of this order and communicate the decision to the petitioner. No costs. Having regard to the same, miscellaneous petitions, if any pending, are closed.

P.NAVEEN RAO,J

24th August, 2015.
Rds