

THE HONOURABLE SRI JUSTICE A.V. SESA SAI

WRIT PETITION No.8579 of 2009

ORDER:

This writ petition, filed under Article 226 of the Constitution of India, challenges the inaction of the 1st respondent in considering the application/ representation, dated 02.02.2009, said to have been submitted by the petitioner herein as illegal and arbitrary and violative of principles of natural justice.

Heard learned counsel for the petitioner and Sri C.V. Bhaskar Reddy, learned Standing Counsel for the 1st respondent – Municipal Corporation and Sri N. Nagavani Prasunaa, learned Counsel appearing for the 2nd and 3rd respondents.

Perused the material available on record.

The sum and substance of the case of the petitioner herein is that ignoring the claim of the petitioner, the 1st respondent – Municipal Corporation allotted the door numbers to the subject land.

A counter affidavit is filed by the 1st respondent – Municipal Corporation stating that the 1st respondent issued proceedings of assessment VLT Tax and allotted the house number to the respondents 2 and 3 in the month of January, 2009 and the petitioner submitted his representation on 02.02.2009 i.e. after issuance of the said proceedings, for cancellation of the assessment without submitting any proof.

A counter affidavit is also filed by respondents 2 and 3

stating *inter alia* that they are the absolute owners and possessors of the property bearing Sy.No.279/2 and they have nothing to do with the property in Sy.No.287.

During the course of arguments, it is submitted by learned counsel for the petitioner that the petitioner herein may be permitted to submit fresh application to the 1st respondent – Municipal Corporation by enclosing the proof of documents.

This Court considers the said submission of learned counsel for the petitioner as reasonable and the same is accepted.

For the aforesaid reasons, without going into the merits of the matter, the writ petition is disposed of, permitting the petitioner to submit representation to the 1st respondent – Municipal Corporation afresh for redressal of his grievance and on receipt of the same, it is open to the 1st respondent – Municipal Corporation to consider the same in accordance with the law. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

A.V. SETHA SAI, J

21st January, 2015
bv