

THE HON'BLE THE CHIEF JUSTICE SRI KALYAN JYOTI SENGUPTA

AND

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.10078 of 2015

DATE: 09.04.2015

Between:

Asifia College of Engineering & Technology,
Hyderabad.

... Petitioner

And

State of Telangana,
Rep. by Principal Secretary,
Municipal Administration,
Secretariat, Hyderabad and others.

... Respondents

This Court made the following:

THE HON'BLE THE CHIEF JUSTICE SRI KALYAN JYOTI SENGUPTA

AND

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.10078 of 2015

Order: (per the Hon'ble the Chief Justice Sri Kalyan Jyoti Sengupta)

Learned counsel for the respondents submits that he does not want to file any counter affidavit in this matter, and he suggests that the Writ Petition

may be disposed of finally by passing appropriate orders as this Court thinks fit and proper.

It appears from the Writ Petition, without giving any notice of hearing or inviting objections, the property tax has been enhanced to the extent of 600%. It appears that in 2013, the property tax was assessed at Rs.15,000/- per annum and the present demand for payment is Rs.2,53,329/- per annum. No reason or justification has been given for such astronomical enhancement. However, it is for the writ petitioner to object to the same.

We therefore allow the writ petitioner to file an objection within a period of seven days from the date of receipt of a copy of this order and on receipt of this objection, the Panchayat authority shall issue a notice of hearing to the writ petitioner. In the event, the writ petitioner files objections within the time as above, then the appropriate authority or the Panchayat Authority shall hear the petitioner personally and pass a speaking order. In the meantime, the petitioner shall deposit, without prejudice to the rights and contentions of the parties and subject to the result of the decision that might be taken by the Panchayat Authority, a sum of Rs.1,00,000/- (Rupees One Lakh only) within a period of 10 days from the date of receipt of a copy of this order. Till such decision is taken or deposit is made, whichever is latter, no coercive measures shall be taken. In the event, such deposit is not made, the matter shall not be heard and our order shall stand recalled. If the petitioner does not file any objection within the time, the issue will be a closed chapter and in that case, our order will stand recalled and the impugned demand will revive. All points are kept open. We have not decided anything on the merits of the case.

The Writ Petition is accordingly disposed of.

Pending miscellaneous petitions, if any, shall stand closed. No order as to costs.

K.J. SENGUPTA, CJ

SANJAY KUMAR, J

Date: 09.04.2015

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