

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

PRESENT

THE HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE
AND
THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.10764 OF 2003

DATED: 02.09.2015

Between:

A.P. Paper Mills Ltd

... Petitioner

and

Municipal Corporation of Rajahmundry

... Respondent

**THE HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE
AND
THE HON'BLE SRI JUSTICE S.V.BHATT**

WRIT PETITION No.10764 of 2003

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

This writ petition under Article 226 of the Constitution of India seeks the following prayer:

“For the reasons stated in the accompanying affidavit it is therefore prayed that this Hon'ble Court may be pleased to issue a Writ of Mandamus or any other appropriate Writ, Order or Orders, Direction or Direction declaring the action of the Respondent in levying and collecting various taxes like Water Tax, Drainage Tax, Conservancy Tax and Lighting Tax as components of Property Tax under the Provisions of Hyderabad Municipal Corporation Act, 1955 from the Petitioner as illegal, arbitrary and unconstitutional and to issue a consequential direction to the Respondent not to levy and recover from the Petitioner Water Tax, Drainage Tax, Conservancy Tax and Lighting Tax as parts of Property Tax and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.”

From bare perusal of the prayer, it is apparent that it is general in nature and no order such as demanding tax has been challenged in the present writ petition. In view thereof,

it is not possible for this Court to examine the writ petition on merits.

Hence, we dispose of the writ petition with liberty to the petitioner to raise similar challenge in the event any order is passed by the concerned Department or the Corporation or a notice demanding tax is issued and if, according to the petitioner, it is contrary to the provisions of law. There shall be no order as to costs.

Consequently, miscellaneous petitions, if any, also stand disposed of.

DILIP B. BHOSALE, ACJ

2nd SEPTEMBER, 2015.

S.V. BHATT, J

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