

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

PRESENT

THE HON'BLE THE CHIEF JUSTICE SRI KALYAN JYOTI SENGUPTA

AND

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No. 13140 OF 2015

DATED: 29.04.2014

Between:

N. Radha Patel,

Hyderabad. ... Petitioner

And

The State of Telangana,

Rep. by its Principal Secretary,

Municipal Administration Department,

Secretariat Buildings,

Hyderabad and others ... Respondents

THE HON'BLE THE CHIEF JUSTICE SRI KALYAN JYOTI SENGUPTA

AND

THE HON'BLE SRI JUSTICE SANJAY KUMAR

-

WRIT PETITION No. 13140 OF 2015

ORDER: (per the Hon'ble Sri Justice Sanjay Kumar)

This writ petition was filed challenging the action of the Greater Hyderabad Municipal Corporation (GHMC) in revising the municipal tax payable for the premises belonging to the petitioner. The demand notice issued in this regard is also subjected to challenge.

It is fairly conceded by the learned Standing Counsel for the GHMC that no notice was given to the petitioner before revision of the property tax.

As similar matters have already been considered by this Court, we dispose of this writ petition in terms of the orders passed in the earlier matters.

The GHMC shall keep the impugned demand for the revised property tax in abeyance till a decision is taken in terms of this order.

The GHMC shall serve notice to the petitioner for taking a decision on her representation/objections to the revision of the property tax. In the event the petitioner fails to respond to such notice or does not turn up, the order passed by us would stand recalled and the demand for payment of enhanced property tax would revive. In the event the petitioner presents herself for hearing, she should be heard on her representation/objections and a speaking order shall thereafter be passed. In such process, the original property tax may be modified or varied as the situation warrants. This exercise shall be completed within six weeks from the date of communication of this order. In the meanwhile, the petitioner shall continue to pay the property tax as per the old value prior to the revision. This payment would abide by the result of the decision to be taken by the GHMC in terms of this order. All issues are left open for consideration.

The writ petition is accordingly disposed of. In consequence, pending miscellaneous petitions, if any, shall stand closed. There will be no order as to costs.

K.J. SENGUPTA, CJ

SANJAY KUMAR, J

Date: 29.04.2015

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