

**IN THE HIGH COURT OF JUDICATURE, AT HYDERABAD
FOR THE STATE OF TELANGANA & THE STATE OF ANDHRA
PRADESH**

W.P.No.15388 OF 2015

Between:

Pynda Venkata Narasimham

.... Petitioner

A n d

The State of A.P.,
Rep. by the Principal Secretary,
Municipal Administration,
Secretariat, Hyderabad
and others

....Respondents

DATE OF JUDGMENT PRONOUNCED: 11.08.2015

SUBMITTED FOR APPROVAL:

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

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| 1. | Whether Reporters of Local newspapers may be allowed to see the Judgments? | Yes/No |
| 2. | Whether the copies of judgment may be marked to Law Reporters/Journals? | Yes/No |
| 3. | Whether their Ladyship/Lordship wish to see the fair copy of the Judgment? | Yes/No |

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

W.P.No.15388 OF 2015

PC: *(Per the Hon'ble Sri Justice S.V.Bhatt)*

Heard Sri P.Rajesh Babu, learned counsel for the petitioner, learned Government Pleader for Municipal Administration for respondent No.1 and Sri N.Venkateswarlu, learned Standing Counsel for respondent No.2.

The petitioner prays for Mandamus declaring the action of respondent No.2 in demanding the petitioner to pay Rs.74,317/- for D.No.7-3-49, as per demand notice dated 11.02.2014 and to pay

Rs.74,252/- for D.No.7-3-44, as per demand notice dated 03.02.2014, situated at Main Road, Pithapuram and Rs.4,43,215/- for D.No.1-5-1, situated at Chittodi Thota, Pithapuram, as per demand notice dated 18.11.2014 and Rs.8,07,364/- for D.No.1-5-1a, Main Road, Pithapuram, as per demand notice dated 18.11.2014, as illegal, arbitrary, time barred and in violation of the principles of natural justice.

The petitioner challenges the impugned demand notices as contrary to Sections 88 and 365 of the A.P. Municipalities Act, 1965. The factual objections in this behalf are that the respondents do not have authority in law to recover property tax beyond three years and that the property in question attracts exemption granted to a charitable institution under Section 88 of the A.P. Municipalities Act, 1965. The learned Standing Counsel, having regard to the objections raised by the petitioner, states that the petitioner will be given opportunity of consideration of these objections and to avoid further loss of time, the respondents will treat the present affidavit as representation/explanation filed by the petitioner against the impugned demand notices and appropriate final orders in accordance with law would be passed. The statement of the learned Standing Counsel is placed on record and the respondents are directed to act accordingly.

The writ petition is disposed of.

Consequently, miscellaneous petitions, if any pending, also stand

disposed of.

ACJ

DILIP B. BHOSALE,

S.V.BHATT,

J

Date: 11.08.2015
Lrkm