

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

PRESENT

THE HON'BLE THE CHIEF JUSTICE SRI KALYAN JYOTI SENGUPTA

AND

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION NO.9508 OF 2015

DATED:7.4.2015

Between:

Vasavi Education Society

(A Registered Society

bearing No.394/1997)

Represented by its Secretary

Palla Pothu Muralikrishna

Gullapalle Vari Street

Anakapalle

Visakhapatnam District

... Petitioner

And

The State of Andhra Pradesh

Rep. by its Principal Secretary (MA&UD)

Secretariat

Hyderabad

and another ... Respondents

THE HON'BLE THE CHIEF JUSTICE SRI KALYAN JYOTI SENGUPTA

AND

THE HON'BLE SRI JUSTICE SANJAY KUMAR

-

WRIT PETITION NO.9508 OF 2015

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

Learned counsel for the respondent – Greater Visakhapatnam Municipal Corporation submits that he does not want to file any counter affidavit in this matter.

In that view of the matter, we dispose of the matter finally.

It appears that the petitioners, in response to a demand notice made by the

respondent Municipal Corporation for payment of property tax, made a representation dt.13.2.2015 whereby they sought exemption from such payment under Section 202 of the Greater Hyderabad Municipal Corporation Act, 1955, which is applicable to the respondent – Greater Visakhapatnam Municipal Corporation also. Learned counsel for the petitioners contends that without considering such representation, the respondent – Corporation is trying to take coercive measure for recovery of the tax.

In that view of the matter, we direct the Commissioner of the second respondent Municipal Corporation himself to consider the representation of the petitioners after giving personal hearing to them, and take a decision on this issue, with reasons. The entire exercise shall be completed within a period of four weeks from the date of communication of this order. In the event, in spite of notice, the petitioners do not turn up for hearing, then this issue would be a closed chapter. Till a decision is taken, no coercive measures shall be taken against the petitioners.

The writ petition is accordingly disposed of.

Pending miscellaneous petitions, if any, shall stand closed. There will be no order as to costs.

K.J. SENGUPTA, CJ

SANJAY KUMAR, J

7.4.2015

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