

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.6228 OF 2002

DATED: 28.10.2015

Between:

Velaga Subba Rao and others

... Petitioners

and

The District Collector and others

... Respondents

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

WRIT PETITION No.6228 of 2002

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ORDER: (per the Hon'ble Sri Justice S.V.Bhatt)

Heard Sri D.Krishna Murthy, learned counsel for petitioners and learned Government Pleader for Irrigation.

The petitioners pray for mandamus declaring the action of respondents in demanding water tax under the provisions of Andhra Pradesh Water Tax Act, 1988 (for short 'the Act').

The objection against the instant demand is that there is no notification issued under Section 4 of the Act making it obligatory for the petitioner to pay water tax.

At the time of hearing, learned counsel appearing for the parties draw our attention to the decision of this Court in Writ Petition No.11393 of 1997 and submit that the issue in the present writ petition is squarely covered by the said decision.

Following the order in Writ Petition No.11393 of 1997, this Writ Petition is disposed of in the following terms.

“The respondent authorities are directed not to take any coercive steps against the petitioners or others under similar circumstances to collect the water tax unless necessary notification envisaged under Section 4 of the Act is issued and determination of the tax is made under Section 5 of the Act and necessary demands are raised.”

Consequently, miscellaneous petitions, if any, also stand disposed of. No order as to costs.

DILIP B. BHOSALE, ACJ

28th OCTOBER, 2015.

S.V. BHATT, J

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