THE HON'BLE SRI JUSTICE SANJAY KUMAR

-

WRIT PETITION No.9738 of 2016

ORDER:

The prayer of the petitioner in this case is as under:

"to declare the action of the Respondents in not responding to the application made on 20-2-2016 in 125/R1/2016 for collection of vacant land tax Act so as to enable the petitioner to construct house on the site i.e. 283.11 Sq.Yards in S.No.391/2 and 280 of B.K.Palle, Madanapalli Town, Chittoor District is arbitrary and illegal apart from being violative of Articles 14 and 21 of the Constitution of India and consequently this Hon'ble Court may be pleased to direct the respondents by issuing appropriate writ order or direction particularly a writ of Mandamus to act on the application made by the petitioner on 20.02.2016 i.e.125/RI/2016 and further take steps for grant of building permission by collecting the vacant land tax Act as requested tin the application dated 20.02.2016 and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case."

Sri Md. Saleem, learned Standing Counsel for the Madanapalle Municipality, informed this Court that the petitioner would have to file all the necessary documents for the purpose of mutation and only thereafter, the vacant land tax in relation to the subject site could be collected from him.

Sri R. Ramachandra Reddy, learned counsel for the petitioner, stated that his client would do the needful.

In that view of the matter, as the Municipality is yet to consider the petitioner's representation dated 20.02.2016, wherein he sought permission to pay the vacant land tax in relation to the subject site, this Court is not inclined to entertain this writ petition at this stage. As the petitioner only referred to the permission for payment of vacant land tax and no mention was made in his representation of any building permission, that part of the prayer shall stand excluded from consideration for the time being. It is for the Municipality to consider the petitioner's representation dated 20.02.2016 in the context of payment of vacant land tax in relation to the subject site. This exercise shall be completed expeditiously and in any event, not later than four weeks from the date of receipt of all the documents from the petitioner.

Pending miscellaneous petitions, if any, shall also stand dismissed. No order as to costs.

JUSTICE SANJAY KUMAR

Date:28.03.2016

GJ