

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

THE HON'BLE THE ACTING CHIEF JUSTICE DILIP B.BHOSALE

&

THE HON'BLE SRI JUSTICE A.V. SESA SAI

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WRIT APPEAL No.270 of 2009

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Dated: 22.07.2016

WRIT APPEAL No.270 of 2009:

BETWEEN

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C. Satyanarayana, S/o. Suryanarayana,
Occ: Business, R/o. Main Road,
Parvatipuram Municipality,
Vizianagaram District and others.

...APPELLANTS

AND

The Parvathipuram Municipality, Rep. by
its Commissioner, Parvatipuram,
Vizianagaram District and others.

... RESPONDENTS

THE HON'BLE THE ACTING CHIEF JUSTICE DILIP B.BHOSALE

&

THE HON'BLE SRI JUSTICE A.V. SESA SAI

-
WRIT APPEAL No.270 of 2009

-
JUDGMENT: (Per Hon'ble the Acting Chief Justice Dilip B.Bhosale)

Heard Ms. G. Swati, learned counsel holding for
Smt. M. Bhaskara Lakshmi, advocate on record for appellants and
Mr. Nimmagadda Venkateswarlu for respondent No.1

2. This appeal is directed against the order dated 28.01.2008 passed in

WP.No.7173 of 1997 whereby the writ petition filed by the appellants came to be dismissed.

3. In the writ petition, petitioners asked for a Writ of Mandamus declaring the action of respondent-municipality in increasing the licence fee to Rs.3,000/- for wholesale and retail storing or selling of Jute. It is not in dispute that the increase of licence fee was the consequence of G.O.Rt.No.21 M.A. dated 05.01.1996, which provides for rate of licence fee for storage and sale of jute in the range of Rs.3,000/- to Rs.5,000/-. This G.O. was not challenged by the appellants. In view thereof and having considered the overall facts and circumstances of the case, the learned single Judge dismissed the writ petition.

In the absence of challenge to the above G.O., and for the reasons recorded in the impugned order, we find no merit in the appeal. Hence, we dismiss the writ appeal keeping it open to the appellants to challenge further enhancement of licence fee, if any, before the appropriate forum.

As a sequel, the miscellaneous applications, if any pending, shall stand closed. There shall be no order as to costs.

DILIP B.BHOSALE, HACJ

A.V. SESA SAI, J

July 22, 2016
DSK