

HON'BLE SRI JUSTICE M. SEETHARAMA MURTI

Writ Petition No.38114 of 2012

ORDER:

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This writ petition under Article 226 of the Constitution of India is filed by the writ petitioner complaining incorrect calculations of the building penalization charges, which are to be calculated in terms of G.O.Ms.No.901, dated 31-12-2007.

It is inter alia stated that instead of collecting Rs.1,47,288/-, a sum of Rs.5,44,137/- was collected, and therefore, an excess amount of Rs.3,96,850/- was paid by the petitioner and was collected by the respondent Corporation and that the petitioner is, therefore, entitled to refund the same with interest at 24% p.a. from the date of payment till the date of refund or repayment.

2. At the hearing, the learned counsel for the petitioner, while reiterating the case pleaded by the writ petitioner, invited the attention of this Court to the representation dated 16-06-2011 submitted by the petitioner to Hyderabad Metropolitan Development Authority, wherein all the facts and the grievance of the petitioner are stated. The learned standing counsel for the 2nd respondent-Director-I, Hyderabad Metropolitan Development Authority would submit that in view of grievance expressed by the writ petitioner, the said authority may be directed to consider and dispose of the representation dated 16-06-2011 of the writ petitioner and redress his grievance.

3. Recording the submission of the learned counsel, the writ petition is disposed of directing the 2nd respondent-Director-I, Hyderabad Metropolitan Development Authority to consider and

dispose of the representation dated 16-06-2011 of the writ petitioner in regard to his claim of refund of the excess amount, after arriving at the correct calculation in accordance with the terms of G.O.Ms.No.901, dated 31-12-2007 as applicable to the case of the writ petitioner. The said authority is directed to commence and complete the said exercise within two months from the date of receipt of a copy of the order. There shall be no order as to costs.

As a sequel thereto, miscellaneous petitions, if any, pending shall stand closed.

M. SEETHARAMA MURTI, J

Date: 12-02-2016

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