

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.12540 of 2016

ORDER:

Heard Sri Ravulapati Sreenivasa Rao, learned counsel for the petitioner, and Sri N. Praveen Kumar, learned Standing Counsel for the Kodad Municipality.

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

“For the reasons stated in the accompanying affidavit that it is prayed that the Hon'ble Court may be pleased to issue an appropriate Writ, Order or Direction, more particularly one in the nature of WRIT OF MANDAMUS, declaring the action the Respondent No.2 without considering the representation dated 18-02-2016 and insisting for payment of property tax as per demand bill dated 03-12-2015 as illegal, arbitrary and violative of the rights guaranteed under the Constitution of India and consequently set aside the same and to pass such other order or orders as this Hon'ble Court may deem fit and proper in the interest of justice.”

As the petitioner's representation dated 18.02.2016 is still pending consideration, the Commissioner, Kodad Municipality, is directed to treat the same as a revision under Rule 12 of the Taxation and Finance Rules in Schedule II of the Andhra Pradesh Municipalities Act, 1965, and take a decision thereon in accordance with the due procedure. This exercise shall be completed expeditiously and in any event, not later than four weeks from the date of receipt of a copy of this order. Pending the disposal of the revision, the municipal authorities shall not insist on payment of the enhanced property tax but the petitioner shall continue to pay the admitted tax amounts and arrears thereof, if any.

The writ petition is disposed of with the above directions. Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

JUSTICE SANJAY KUMAR

18th April, 2016
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