

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 18910 of 2016

ORDER:

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Heard learned counsel for the petitioner and Sri S.Laxminarayana Reddy, Standing Counsel for the respondents.

With the consent of both the parties, the writ petition being taken up for disposal at the admission stage itself.

The present writ petition came to be filed seeking issuance of writ of mandamus declaring the action of the respondents in not assessing the property tax to the house of the petitioner so as to give drinking water tap connection, as illegal, arbitrary and violative of Article 14 and 21 of the Constitution of India; and consequently direct the respondents to assess the property tax to the house of the petitioner and provide drinking water tap connection after receiving necessary charges.

Though various grounds are raised in the writ petition, learned counsel for the petitioner submits that the petitioner is willing to pay the property tax. He further submits that if the property tax is not assessed there is no provision to give water tap connection to the house of the petitioner.

Sri S.Laxminarayana Reddy, learned Standing Counsel for the respondents opposes the same stating that there is a dispute between the petitioner and one S.K.Komali with regard to the title of the said house and suits also pending. He further submits that the application submitted by the petitioner is not in the prescribed form. If the petitioner submits the application in the prescribed form, the same may be disposed of in accordance

with law.

A perusal of the material on record would show that there is a dispute with regard to the title of the property in question between the petitioner and S.K.Komali and O.S.Nos.562 of 2009 and 130 of 2009 are also pending between both the parties. Having regard to the same, if the petitioner makes any application as required under the Act, the same shall be dealt with by the Corporation at the earliest, in accordance with law, after hearing the petitioner and also S.K.Komali.

With the above direction, the present writ petition is disposed of. There shall be no order as to costs.

Consequently, miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

**JUSTICE C. PRAVEEN
KUMAR**

15.06.2016
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