

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.13533 of 2016

ORDER:

Heard Sri K. Narsi Reddy, learned counsel for the petitioners and Sri N. Praveen Kumar, learned Standing Counsel for the third respondent Nagara Panchayat.

The grievance of the petitioners, 13 in number, is with regard to the enhancement of property tax by the Parkal Nagara Panchayat authorities. It appears that representations dated 15.02.2016, 24.03.2016 and 30.03.2016 were made by petitioners 1, 4, 5 and 7 ventilating their grievance with regard to the enhancement of the property tax and the Parkal Nagara Panchayat authorities are yet to take appropriate action thereon.

As Parkal Nagara Panchayat would qualify as a Municipality under the A.P Municipalities Act, 1965 (for short 'the Act'), the Commissioner of the Nagara Panchayat has to exercise revisionary powers under Rule 12 of the Taxation and Finance Rules, Schedule II to the Act, and dispose of the representations already made by petitioners 1, 4, 5 and 7.

Sri K. Narsi Reddy, learned counsel for the petitioners, states that the other petitioners would also make similar representations airing their grievance as regards the enhancement of the property tax.

In the event such representations are made, the same shall be treated as revisions and shall be dealt with by the Commissioner of the Nagara Panchayat in accordance with the due procedure prescribed under Rule 12 of the aforementioned Rules.

Pending disposal of the revisions, Sri K. Narsi Reddy, learned counsel, states that the petitioners would pay 50% of the enhanced tax amount. Subject to such payment being made, the Nagara Panchayat authorities shall not take coercive measures to enforce payment of the balance 50%, till the disposal of the revisions by the Commissioner of the Nagara Panchayat. The revisions already pending shall be

disposed of expeditiously and in any event, not later than four weeks from the date of receipt of a copy of this order. Similarly, the revisions filed by the other petitioners pursuant to this order shall be disposed of within four weeks from the date of receipt thereof. In the event the other petitioners fail to file representations as indicated supra within two weeks from the date of receipt of a copy of this order, it shall be open to the Nagara Panchayat authorities to proceed in the matter insofar as they are concerned in accordance with law.

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

JUSTICE SANJAY KUMAR

Date: 21.04.2016

Note:-

Issue CC in three days

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