

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

WRIT PETITION No.13204 of 2017

ORDER:

Heard learned counsel for petitioner and learned Government Pleader for respondents 1 and 2 and Sri G. Seshadri, learned Standing Counsel for respondent No.3.

Notice bearing ROC.No.1/2017, dated 04.04.2017, issued by the third respondent – Potupalem Gram Panchayat, Gudur Mandal, SPSR Nellore District, is under challenge in the present Writ Petition.

According to the petitioner, he purchased land to an extent of 385.33 sq.yards in Survey Nos.723/A1 and 667/1B by way of a registered sale deed vide document No.952/2004, dated 24.04.2004. In 2005, he raised a temporary shed in the said land with asbestos sheets and using the same for two wheeler repair and water services. It is stated that the Gram Panchayat assessed the temporary shed to property tax and the petitioner has been paying the property tax as per the demand notice issued by the third respondent. By way of notice under challenge, the Gram Panchayat asked the petitioner to produce the evidence showing the permissions granted for the building. In response to the same, the petitioner filed an explanation/representation on 08.04.2017.

According to the petitioner, no action has been taken by the third respondent.

Since the said explanation/representation is pending consideration before the third respondent Gram Panchayat, this Court deems it appropriate to dispose of the Writ Petition with a direction to the third respondent to consider the said explanation/representation, dated 08.04.2017, said to have been submitted by the petitioner pursuant to the impugned notice and pass appropriate orders after giving him an opportunity of personal hearing. Till passing of such order, no coercive action shall be taken pursuant to the impugned notice.

Subject to the above directions, the Writ Petition stands disposed of.

Consequently, Miscellaneous Petitions, if any pending in this Writ Petition, shall stand dismissed. No order as to costs.

13th APRIL, 2017.

A.V.SESHA SAI, J

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