HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.10269 OF 2017

ORDER:

This writ petition is filed challenging the tax demand notice, dated 02.02.2017, of the 2nd respondent-GHMC, demanding the petitioner to pay an amount of Rs.15,873/- towards the property tax.

It is the specific contention of the learned counsel for the petitioner that previous year, an amount of Rs.1,000/- was paid by the petitioner towards property tax and there are no arrears. It is further contended that the petitioner received SMS alert, wherein a demand of Rs.15,873/- was shown against her property, and on further downloading the details, the petitioner was shocked to find the current demand of Rs.14,696/- towards property tax and Rs.1,177/- towards interest. Thereafter, the petitioner addressed a legal notice dated 14.02.2017 seeking details of how and in what manner that property tax demand fell to Rs.15,873/-. In spite of the same, no reply has been received from the respondent authorities. However, the respondent authorities are threatening to disconnect the civil amenities, like water supply etc., to the petitioner for non-payment of the alleged demand of tax.

Sri N. Ashok Kumar, learned standing counsel for respondents 2 and 3, on instructions, submits that petitioner had violated the building permit rules and made a construction of two floors in a total extent of 2625 sq.feet and she did not obtain permission for construction, the same is treated to be illegal and the rate as applicable to illegal constructions were made applicable, in terms of Section 220-A of the Greater Hyderabad Municipal Corporation Act, 1955 (in short "the Act"). Learned standing counsel further submits that the petitioner is at liberty to approach the Zonal Commissioner concerned and obtain the details and if she is otherwise aggrieved with the tax assessment, she is entitled to challenge the assessment under Section 220(2) of the Act.

In the facts of the present case, the Writ Petition is disposed of by giving liberty to the petitioner to approach the Zonal Commissioner seeking the particulars of the tax assessment and if she is otherwise aggrieved with the same, she shall be at liberty to take appropriate action in accordance with the Act. As the petitioner apprehends coercive action being taken by the respondent authorities, it is made clear that subject to the condition of the petitioner approaching the Zonal Commissioner by filing her objections, within a period of two weeks from the date of receipt of a copy of this Order, the latter shall consider the same within a period of four weeks, thereafter. Till then, no coercive steps shall be taken against the petitioner.

Accordingly, the Writ Petition is ordered. There shall be no order as to costs.

Miscellaneous petitions pending, if any, shall stand closed.

CHALLA KODANDA RAM, J

Date:28.03.2017.
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