

HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN

WRIT PETITION No.10505 OF 2009

ORDER:

None appears for the respondent.

This Writ Petition is filed seeking a mandamus to declare the action of the respondents, in threatening to disconnect the service connection of the petitioner and demanding payment of the remaining 50% of the provisional assessment amount, without notice and without passing final assessment orders, as arbitrary and illegal.

Sri A. Bhuvan Sunder Reddy, Learned Counsel for the petitioner, would submit that, pursuant to the provisional assessment notice, the petitioner paid 50% of the amount pursuant to which the service connection was restored; as the respondents were insisting on the petitioner paying the balance 50% also, he had invoked the jurisdiction of this Court; an interim order was passed, in WPMP No.13491 of 2009 dated 28.05.2009, granting interim stay of disconnection on condition that the petitioner deposited 25% of the demand; pursuant to the interim orders the petitioner paid 25% of the demand and, subsequently, paid the entire amount; no amount is due and payable by the petitioner pursuant to the provisional assessment; and it is only on a final assessment order being passed can the liability of the petitioner be finally determined.

As the petitioner has paid the entire amount demanded pursuant to the provisional assessment notice, suffice it to direct the respondents to initiate final assessment proceedings, and pass final orders in accordance with law, at the earliest and, in any event, not later than

three months from the date of receipt of a copy of this order. The Writ Petition is disposed of. The miscellaneous petitions pending, if any, shall stand closed. No costs.

RAMESH RANGANATHAN, ACJ

Date: 04.08.2017.
MRKR

