

THE HONOURABLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION Nos.10630 AND 10652 OF 2017

COMMON ORDER:

Since the grievance of the petitioners in both these writ petitions is one and the same, both the writ petitions are disposed of by this common order.

WP No.10630 of 2017 is filed to declare the action of the respondents in wrongfully demanding enhanced amount of Rs.18,33,949/- towards property tax without following due process of law, in respect of the premises of the petitioners bearing No.13-4-110/ NR, Durga Nagar, L.B. Nagar, Hyderabad, as illegal and arbitrary.

WP No.10652 of 2017 is filed to declare the action of the respondents in wrongfully demanding enhanced amount of Rs.40,73,386/- towards property tax without following due process of law in respect of the premises of the petitioners bearing No.13-4-102/ NR, Durga Nagar, L.B. Nagar, Hyderabad, as illegal and arbitrary.

The grievance of the petitioners in both the writ petition is that the respondent authorities have increased the property tax abnormally for the respective properties of the petitioners, and before making the demand of such huge amount, no opportunity was given to the petitioners and no assessment has been made and that the petitioners have paid an amount of Rs.25,87,828/- towards part payment of the demanded tax together for both the premises.

Considering the nature of the grievance of the petitioners and since the petitioners have already paid a sum of Rs.25,87,828/- towards part payment of the demanded tax, interest of justice would be served, if the finalization of assessment of tax is stayed on condition of

petitioners paying an amount of Rs.5,00,000/- in each of the writ petitions.

Accordingly, the impugned demand of property tax in respect of the properties of the petitioners in both the writ petitions is set aside and the respondents in both the writ petitions are directed to re-assess the property tax in respect of the respective properties of the petitioners i.e. premises bearing No.13-4-110/ NR, Durga Nagar, L.B. Nagar, Hyderabad and the premises bearing No.13-4-102/ NR, Durga Nagar, L.B. Nagar, Hyderabad on condition of petitioners in both the writ petitions paying an amount of Rs.5,00,000/- (Rupees five lakhs only) in each writ petition. The entire exercise of re-assessing the property tax shall be completed within a period of eight (8) weeks from the date of receipt of a copy of this order.

No order as to costs. As a sequel to disposal of the writ petitions, W.P.M.Ps., if any pending, shall stand closed.

March 27, 2017

KTL

CHALLA KODANDA RAM, J