

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.22375 of 2017

ORDER:

This writ petition is filed by the petitioner, under Article 226 of the Constitution of India, seeking to declare the inaction of the second respondent, in not mutating the name of the petitioner for the premises bearing D.No.33/2, Plot No. 6, D.No.4-5-61/19, admeasuring 256.34 square meters, situated in Koritepadu Sub-District, Koritepadu (V), Guntur Municipal Corporation Area, on his name in spite of production of all the required documents and Sale Deed in his name, contrary to Section 207 of the Greater Hyderabad Municipal Corporation Act, 1955, and not considering the Legal Notice issued by the petitioner, dated 18.01.2017, and the application submitted by the petitioner on 03.01.2011, as illegal, contrary to the rules, arbitrary and contrary to the Principles of Natural Justice, and consequently to direct the second respondent to mutate the name of the petitioner as owner of the property bearing D.No.33/2, Plot No.6, D.No.4-5-61/19, situated in Koritepadu Sub-District, Koritepadu (V), Guntur Municipal Corporation Area.

2. Heard learned counsel for both sides and perused the material available on record. With the consent of learned counsel for both sides, the writ petition is taken up for disposal at the stage of admission.

3. It is the case of the petitioner that the petitioner is the owner of the property bearing D.No.33/2, Plot No. 6, D.No.4-

5-61/19, admeasuring 256.34 square meters, situated in Koritepadu Sub-District, Koritepadu (V), Guntur Municipal Corporation Area, having purchased the same through a registered Sale Deed, dated 20.09.2010, vide Document No.3536/2010 of the Sub-Registrar Office, Koritipadu, Guntur, from one Peram Venkateswara Rao, S/o. Subba Rao of Koritapadu, Guntur District and that the house property is consisting of Asbestos sheets and the municipal authorities duly assessed the petitioner's property under Asst. No.5261/A from the petitioner's vendor's vendor in title and levied tax in the name of Pavuluri Ramaiah, but however, the petitioner paid the municipal tax upto date. On 03.01.2011, the petitioner has submitted an application to the 2nd respondent for title transfer/mutation of assessment in the name of the petitioner and also paid an amount of Rs.18,618/- on 03.01.2011, but till now the 2nd respondent did not pass any orders on the said application. The petitioner also got issued a legal notice to that effect on 18.01.2016, but so far, no action is taken on the said legal notice by the 2nd respondent.

4. When the matter is taken up, both the learned counsel agreed for disposal of the writ petition with a direction to the 2nd respondent to expeditiously dispose of the application of the petitioner, dated 03.01.2011.

5. Having regard to the same, without expressing any opinion on the merits of the matter, the Writ Petition is disposed of directing the 2nd respondent to consider the application of the petitioner, dated 03.01.2011, pass appropriate orders, as

expeditiously as possible, as warranted by law and communicate the decision to the petitioner. There shall be no order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

RAJA ELANGO, J

Date: 11th July, 2017

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284**THE HONOURABLE SRI JUSTICE RAJA ELANGO****WRIT PETITION No.22375 of 2017**Date: 11th July, 2017

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