

THE HONOURABLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.10615 OF 2017

ORDER:

This writ petition is filed seeking to issue a writ of mandamus to declare the action of the 2nd respondent in insisting upon payment of alleged property tax at enhanced rates without following due process of law in respect of H.No.1-56/ 1, Gachibowli, Hyderabad, and threatening to seize the property of the petitioner for non-payment of alleged property tax, as arbitrary and illegal.

Sri Ganta Rama Rao, learned Senior Counsel appearing on behalf of the petitioner submits that the petitioner purchased the subject property in the year 2012 and at that time the property tax was Rs.748/- and that at the time of purchase of the property, the vendor of the petitioner paid Rs.3,056/- towards arrears of property tax for the period from 01.04.2009 to 31.03.2012 and thereafter, the authorities of the Municipal Corporation never issued any demand notice to the petitioner for payment of tax and that when the petitioner sent her representative to know about the amount of tax, the authorities of the Corporation informed him that an amount of Rs.6,70,571/- is due towards property from 2012-2013 to 2015-2016. Further, the specific contention of the learned Senior Counsel is that the authorities of the Municipal Corporation have not followed the procedure, as contemplated under Section 220 of the Greater Hyderabad Municipal Corporation Act, 1955.

Sri Sampath Prabhakar Reddy, learned Standing Counsel appearing on behalf of the respondents 1 to 3, on instructions, submits that the demand may be set aside by giving an opportunity to the respondent authorities to issue a fresh demand by taking into consideration the area, which is in occupation of the petitioner, through proper assessment.

In the light of the submissions made on behalf of the respondents, and also taking into consideration the submissions of the learned counsel for the petitioner, the impugned demand of property tax in respect of the property of the petitioner i.e., H.No.1-56/ 1, Gachibowli, Hyderabad, is set aside, giving opportunity of the respondents to pass fresh orders by following due process of law.

Accordingly, the Writ Petition is disposed of. No order as to costs. As a sequel to disposal of the writ petition, W.P.M.Ps., if any pending, shall stand closed.

March 27, 2017

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CHALLA KODANDA RAM, J

