

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WP No.30354 of 2016

ORDER :

This writ petition is filed assailing the proceedings dated 27-08-2016 whereby the petitioner was asked to pay an amount of Rs.26,44,422/- towards property tax dues, including penalty and interest towards property tax in respect of the property situated in Shed No.D-120, Phase-I, IDA, Jeedimetla.

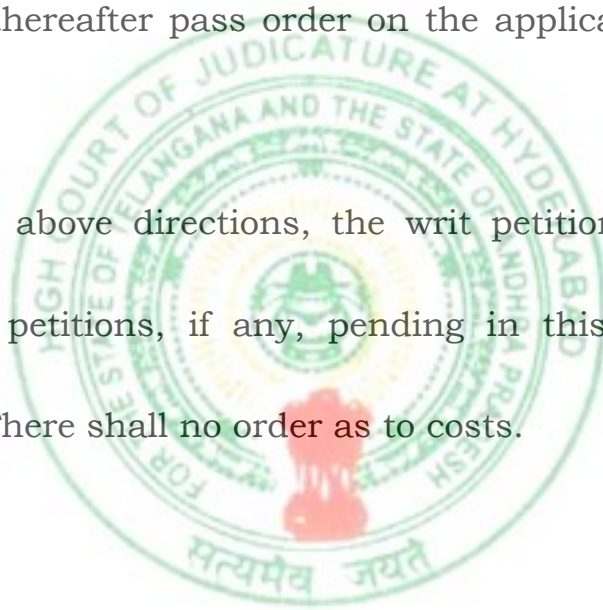
2. Sri M. Govind Reddy, learned counsel for the petitioner submits that there is a procedure prescribed under the Municipal Corporation Act and without following the same, the petitioner was asked to pay an amount of Rs.26,44,422/- towards tax, interest and penalty.

3. On the other hand, Sri L. Prabhakar Reddy, learned Standing Counsel for the respondent-Corporation submits that the petitioner has not notified to the Corporation that he is the transferee of the property in question. It is also stated that even a transferee of the property is liable to pay the property tax including the arrears of tax, interest penalty.

4. It is to be seen that there is procedure prescribed under the Municipal Corporation Act to demand the property tax, in respect of the property in question, which is situated in an industrial development area, and the impugned order issued without taking

recourse to the said procedure under the provisions of the Municipal Corporation Act is wholly unsustainable. In the circumstance, the impugned order is set aside. However, it is open for the respondent-Corporation to issue demand notice by following the due procedure under the Municipal Corporation Act and on issuing fresh proceedings following the procedure, it is open for the petitioner to file his objections, which needless to state, be considered and appropriate orders passed thereon, in accordance with law and thereafter pass order on the application for building permission.

5. With the above directions, the writ petition is disposed of. Miscellaneous petitions, if any, pending in this case shall also stand closed. There shall no order as to costs.



A.RAJASHEKER REDDY, J

Dated: 22-11-2017
NRG

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.30354 of 2016

//WEB//



Date: 22-11-2017

NRG

