

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 6511 of 2019

ORDER:

Petitioner challenges the demand notice, dated 10.03.2019, issued by respondent No.2-Greater Hyderabad Municipal Corporation.

The petitioner asserts that for the year 2015-16, it paid a sum of Rs.5,72,020/- towards property tax and the same is now enhanced to Rs.9,56,572/- and that the abnormal increase of property tax is not preceded with any notice and enquiry.

Learned Standing Counsel appearing for respondent No.2, while disputing the above said assertion of the petitioner, submits that there is a duty cast on the petitioner itself to pay the admitted tax. He further submits that the writ petition is not maintainable as the petitioner has alternative remedy of approaching the Commissioner by ventilating its grievance and prayed for dismissal of the writ petition.

Admittedly, the petitioner had not paid the tax even as per earlier assessments for three consecutive years 2016-17, 2017-18 and 2018-19. As the petitioner itself has not made grievance at an earlier point of time by approaching the authorities, at this stage, the writ petition need not be kept pending as there is an alternative remedy to it to approach the competent authority to redress its grievance.

As there is imminent coercive action to be taken against the petitioner, in the interests of justice, the writ petition is disposed of

keeping the impugned demand notice in abeyance for a period of eight weeks from today subject to the petitioner depositing one-third of the demanded amount within a period of four weeks from today. The petitioner is permitted to submit its explanation within two weeks from the date of receipt of a copy of this order, upon which, the competent authority shall pass appropriate orders strictly keeping in view the provisions of the Greater Hyderabad Municipal Corporation Act and the Rules made thereunder.

Miscellaneous petitions, if any, pending in this writ petition shall also stand disposed of. There shall be no order as to costs.

Dt:28.03.2019

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CHALLA KODANDA RAM, J

