

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION Nos.12179 and 12187 OF 2019

COMMON ORDER:

Heard learned counsel for the petitioners and learned Government Pleader.

2. First petitioner in both the writ petitions is an Educational Society, which is running educational institutions in Nadergul. Petitioners are aggrieved by the demand notice issued separately in two writ petitions. The said notices are challenged primarily on the ground that there is an exorbitant increase in the property tax as compared to the tax paid by the petitioners earlier and the same is illegal. According to the petitioners, there could not be exorbitant revision of property tax and as the petitioners are running Engineering Colleges it is not possible for them to meet the demand of property tax.

3. Learned Standing Counsel produced the District Gazette dated 16.03.2015 wherein the property tax is revised against various structures.

4. According to the Gazette notification dated 16.03.2015, when an educational institution is running in RCC building, the property tax payable is Rs.57/- per square meter. Later, the Municipality has revised the property tax further. In terms of this revision, which is not under challenge, the demand now made is valid.

4. At this stage, learned counsel for the petitioners seeks leave of the Court to avail appropriate remedy including the liberty to challenge the gazette notification. She also requests for grant of

breathing time for payment of amounts and to avail the alternative remedy.

5. Subject to petitioners paying 50% of the tax demanded and availing the remedy of appeal/revision for reduction of property tax, within a period of four weeks from today, the respondents-Municipality shall not take any coercive steps against the petitioners. If the petitioners prefer any such appeal and the appellate authority passes any order in the said appeal, the petitioners shall pay the balance amount, as determined by the appellate authority, within four weeks from the date of decision of the appellate authority.

6. Accordingly, both the writ petitions are disposed of. There shall be no order as to costs.

Miscellaneous petitions pending in the writ petitions, if any, shall stand closed.

9th July, 2019
sur

P. NAVEEN RAO, J