THE HON'BLE SRI JUSTICE P.KESHAVA RAO

WRIT PETITION No.3015 OF 2020

ORDER:

Heard the learned counsel for the petitioners as well as the learned standing counsel appearing for the second respondent Corporation.

2. The prayer sought in the writ petition is as under:

> 'For the reasons stated in the accompanying affidavit, it is hereby prayed that this Hon'ble Court may be pleased issue writ order or direction more particularly one in the nature of writ of mandamus declaring the action the respondent No 2 in issuing distress warrant vide Lr No. NMC/REV/ZVI/86/2019-2020 dated 4.2.2020 without considering the applications dated 19.9.2018 and 9.7.2019 directing the petitioners to pay an amount of Rs.1,28, 432-00 towards property tax for the period from April 2016 to March 2020 towards flat No.103, KCP Symphony Building, Dwarakanagar, Nizamabad, Nizamabad District by enhancing the property tax from 2,164-00 to 26,476/ per annum by showing the discrimination in between the similarly situated persons as arbitrary and illegal and contrary to the provisions of the Telangana Municipalities Act 2019 and in violation of the Article 14, 16 and 300A of the constitution of India consequently to set aside the same and to pass such other order or orders as this Hon'ble Court may deems fit just and proper in the circumstances of the case.'

3. During the course of hearing, learned standing counsel placed on record the letter dated 15.02.2020 addressed from the second respondent Corporation to the learned standing counsel.

4. From the perusal of the said letter, it is evident that in uploading the information online, the measurements pertaining to the subject property are wrongly entered in the online software, which is a typographical error. Therefore, the office has already forwarded a letter to the Head Office i.e., Office of the C&DMA, Hyderabad, to provide

modification screen or link to rectify the issue. It is also further mentioned that the second respondent Corporation is repeatedly reminding the issue with the Head Office for provision of the said link to update the said issue. It is also stated that the petitioner was assured that the rectification of property tax issue will be disposed of on merits as soon as the link is provided by the Head Office.

4. Having heard both the counsel and in the light of the letter dated 15.02.2020 addressed by the Commissioner, Nizamabad Municipal Corporation, to the office of the learned standing counsel, no further orders are required to be passed in the writ petition.

5. Accordingly, the writ petition is closed. However, it is made clear that till the final orders are passed, the second respondent Corporation is directed not to take any coercive steps. This order will not preclude the petitioner from paying the admitted property tax to the second respondent Corporation. Pending miscellaneous petitions, if any, shall also stand closed. No order as to costs.

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JUSTICE P.KESHAVA RAO

Date:26.02.2020

PGS