

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
(Special Original Jurisdiction)

THURSDAY, THE THIRTY FIRST DAY OF DECEMBER
TWO THOUSAND AND TWENTY

PRESENT

THE HON'BLE SRI JUSTICE A. ABHISHEK REDDY

WRIT PETITION NO: 24516 OF 2020

Between:

- 1) Sri. K. Rambabu, S/O. Late. K. Sadashiva Rao, aged about 63 years, Occupation: Business, R/o: Flat No.205, Metro Residency, Rajbhavan Road, Hyderabad.
- 2) Smt. K. Girija Devi W/O. Sri. K. Rambabu, aged about 57 years, Occupation: Housewife, R/o: Flat No.205, Metro Residency, Rajbhavan Road, Hyderabad,
- 3) Smt. K. Jhansi Lakshmi Bai, W/O. Late. K. Sadasiva Rao, aged about 83 years, Occupation: Household, R/o: Flat No.205, Metro Residency, Rajbhavan Road, Hyderabad, Petitioners No. 2 & 3 are Represented by their GPA Holder SRI. K. RAMBABU S/O. LATE. K. SADASIWA RAO, aged about 63 years, Occupation: Business, R/o: Flat No.205, Metro Residency, Rajbhavan Road, Hyderabad,
- 4) Sri. B. Hemasundara Rao, S/O. Sri. Lakshmana Rao, aged about 47 years, Occupation: Business, R/o: SF-3, Surya Satya Apartments, Near Hotel Kandhari, Vijayawada.
- 5) Sri. M. Phanindra Kumar, S/O. Sri. M. K. Vishwanadha Rao, aged about 45 years, Occupation: Business, R/o: Flat No.205, Metro Residency, Rajbhavan Road, Hyderabad.
- 6) Sri. K. Sivarama Sai S/O. Late. Subrahmanyam, aged about 46 years, Occupation: Business, R/o: Flat No.6, MRC Regency, Behind

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BOC, Seethammadhara,
Vishakapatnam

- 7) Sri. V. Narayana Rao S/O. Sri. V. Ananda Rao, aged about 44 years, Occupation: Business, R/o: Flat No.6, MRC Regency, Behind BOC, Seethammadhara, Visakhapatnam.
(No.4 to 7 herein are represented by their Agreement of Sale cum GPA Holder, No. 1 herein SRI. K. RAMBABU, S/O. LATE. SADASIWA RAO, aged about 63 years, Occupation: Business, R/o: Flat No.205, Metro Residency, Rajbhavan Road, Hyderabad)
- 8) Smt. C. Sravani, W/O. Sri. C. Srinatha Venkateshwara Rao, aged about 35 years, Occupation: Housewife, R/o: 301, Hyma Surajya Residency, Balajinagar, Siripuram, Visakhapatnam.
- 9) Sri. K. Sadasiva Rao, S/O. Sri. K. Rambabu, aged about 33 years, Occupation: Business, R/o: Flat No.205, Metro Residency, Rajbhavan Road, Hyderabad.
- 10) Smt. A. Padmaja W/O. Sri. A. V. J. P. Narayana, aged about 56 years, Occupation: Housewife, R/o. NH5, Akkayyapalem, Visakhapatnam, represented by her Agreement of Sale Cum GPA Holder: SMT. C. SRAVANI W/O. SRI. C. SRINATHA VENKATESHWARA RAO, aged about 35 years, Occupation: Housewife, R/o: 301, Hyma Surajya Residency, Balaji Nagar, Siripuram, Visakhapatnam
- 11) Sri. A. Sivaram, S/O. Sri. A. V. J. P. Narayana, aged about 38 years, Occupation: Business, R/o: NH5, Akkayyapalem, Visakhapatnam, Represented by his Agreement of Sale cum GPA Holder: SRI. K. SADASIWA RAO, S/O. SRI. K. RAMBABU, aged about 33 years, Occupation: Business, R/o: 205,

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Metro Residency, Rajbhavan Road,
Hyderabad

12) Sri.Chitturi.Srinatha Venkateshwara Rao S/O. Sri. C. Ravindra, aged about 39 years, Occupation: Business, R/o: 301, Hyma Surajya Residency, Balaji Nagar, Siripuram, Visakhapatnam.

13) M/S. Mrc Infrastructure Private Limited (Formerly M/s. MRC Constructions & Contractors Private Limited), a company incorporated under companies Act 1956, having its office at Flat No.205, Metro Residency, Rajbhavan Road, Hyderabad-500 082, Represented by its Director: SRI. K. RAMBABU S/O.LATE. K. SADASIVA RAO, Aged about 61 years, Occupation: Business, R/o: Flat No.205, Metro Residency, Rajbhavan Road, Hyderabad.

...PETITIONERS

And

- 1)** The State of Telangana
Rep. by its Principal Secretary,
Municipal Administration
And Urban Development Department,
Secetariat, Hyderabad-500063
- 2)** Chief Commissioner of Land
Administration, Opp.Annapurna Hotel,
Nampally Station Road, Hyderabad-500001.
- 3)** Peddamberpet Municipality
Represented by Its Commissioner
PeddaAmberpet, Ranga Reddy District.501505
- 4)** M/s. S R R INFRA PROJECTS LIMITED, A
company incorporated under companies Act
1956, having it's Office at 5-4-125/1, Sama
Complex, Near Sushma Theatre,
Vanasthalipuram, Hyderabad-500070,
Represented by it's Managing Director: SRI.
SAMA RANGA REDDY, S/O. LATE S.
SRISAILAM REDDY, aged about 48 years,
Occupation: Business, R/o. H.No. 4-13-262
/ 263, HUDA Sainagar, Vanasthalipuram,
Hyderabad - 500070.

5) M.K.Durgaprasad

S/o. Not Known, Aged about : Major

R/o. H.No. 4-1/267/268, Plot No.267(p) and 268(p),

Sadasiva Heavens Layout, Pedda Amberpet Village,

Abdullapurmet Mandal, Ragareddy District-501505

PTIN : 1176010983

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a Writ order or direction more particularly one in the nature of Writ of Mandamus to declare the action of the Respondent No.3 in issuing the Special Notice No.1176004854 and assessment No.1176010983 dated 08/11/2017 with regard to assessment of property tax for H.No.4-1-267/268 bearing Plot No. 267(p) and 268(p), admeasuring 267 Sq. Yards in Survey No.320,326 to 333 and 335 situated at Pedda Amberpet Village and Municipality, Hayathnagar Mandal, Ranga Reddy District in the name of Respondent No.5 as illegal and Void and consequently to set aside the Proceeding No.1176004854 and assessment No.1176010983 dated 08/11/2017 issued with regard to assessment of property tax relating to Respondent No.5 in respect H.No.4-1-267/268 bearing Plot No. 267(p) and 268(p), admeasuring 267 Sq.Yard in Survey No.320, 326 to 333 and 335 situated at Pedda Amberpet Village and Municipality, Hayathnagar Mandal, Ranga Reddy District.

IA NO: 1 OF 2020

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to suspend the Special Notice No.1176004854 and assessment No.1176010983 dated 08/11/2017 issued with regard to assessment of property tax relating to Respondent No.5 in respect H.No.4-1-267/268 bearing Plot No. 267(p) and 268(p), admeasuring 267 Sq. Yards in Survey No.320, 326 to 333 and 335 situated at Pedda Amberpet Village and Municipality, Hayathnagar Mandal, Ranga Reddy District, pending disposal of the above writ petition.

Counsel for the Petitioner: SRI. SRINIVAS VELAGAPUDI

Counsel for the Respondent No.1: GP FOR MCPL ADMN URBAN DEV

Counsel for the Respondent No.2: GP FOR REVENUE

**Counsel for the Respondent No. 3. SRI N. PRAVEEN KUMAR
SC FOR MUNICIPALITIES**

Counsel for the Respondent No. 4 & 5: NONE APPEARED

The Court at the stage of admission made the following: ORDER

THE HON'BLE SRI JUSTICE A.ABHISHEK REDDY

WRIT PETITION No.24516 of 2020

ORDER:

Heard the learned counsel for the petitioners, the learned Government Pleader for Municipal Administration and Urban Development, and the learned Standing Counsel for Municipalities for the official respondents. With their consent, the Writ Petition is disposed of at the stage of admission.

This writ petition is filed questioning the assessment of property tax made by respondent No.3 in the name of the unofficial respondents herein in respect of the subject lands, without considering the representation made by the petitioners on 09.12.2020, as illegal and arbitrary.

The learned counsel for the petitioners states that the petitioners made a representation to respondent No.3 on 09.12.2020 requesting to cancel the illegal assessment of property tax made in respect of the subject lands, which are owned by the petitioners. However, no orders are passed thereon till date. Hence, he seeks a direction to respondent No.3 to dispose of the representation of the petitioners, at the earliest.

The learned Standing Counsel, on instructions, states that the representation made by the petitioners will be considered and necessary orders will be passed, strictly in accordance with law.

In view of the above made submissions, the Writ Petition is disposed of directing the 3rd respondent-The Commissioner, Pedda Amberpet Municipality, to dispose of the representation submitted by the petitioners on 09.12.2020 and pass necessary orders

thereon, strictly in accordance with law, as expeditiously as possible, preferably within a period of four weeks from the date of receipt of a copy of this order. It is needless to mention that before passing any orders, the petitioners as well as the unofficial respondents shall be put on notice and afforded an opportunity of hearing. A copy of the order passed by respondent No.3 shall be communicated to the petitioners.

The miscellaneous petitions pending, if any, shall stand closed. There shall be no order as to costs.

SD/-N.CHANDRA SEKHAR RAO
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Commissioner, Peddamberpet Municipality, Ranga Reddy District.501505
2. One CC to Sri Srinivas Velagapudi, Advocate [OPUC]
3. Two CCs to GP for Municipal Administration and Urban Department, High Court for the State of Telangana. [OUT]
4. One CC to Sri N. Praveen Kumar, SC for Municipalities [OPUC]
5. Two CD Copies

CHIR



HIGH COURT

DATED:31/12/2020



ORDER

WP.No.24516 of 2020

DISPOSING OF THE WP
AT THE STAGE OF ADMISSION
WITHOUT COSTS

Handwritten signature and date:
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RMA
02/01/2021