Neutral Citation: _____

APHC010699082016

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI **[3606]**

THURSDAY, THE 12th DAY OF NOVEMBER 2026

PRESENT

THE HONOURABLE SRI JUSTICE PURUSHOTTAM KUMAR CHINTALAPUDI

SECOND APPEAL No.158 OF 2016

Between:

1. Smt. Anumalisetty Lakshmi, W/o. Anumalisetty Nagesh, Hindu, Aged 46 Years, R/o. D.No. 9-1-248, C/o. A.S. Steel Traders, CBM Compound, Visakhapatnam.

...APPELLANT

AND

1. The Commissioner, Greater Visakhapatnam Municipal Corporation, Tenneti Bhavan, Asilmetta Junction, Ramnagar, Visakhapatnam.

...RESPONDENT

Appeal under Section 100 of CPC against concurrent finding of the Courts bellow *i.e.,* Judgment and Decree passed by the Hon'ble Court of the II Addl. District Judge, Visakhapatnam in A.S.No.152 of 2011 dated 21.09.2015 confirming the Judgment and Decree dated 08.08.2011 passed in O.S.No.203 of 2009 on the file of the Court of the I Additional Senior Civil Judge, Visakhapatnam.

IA NO: 1 OF 2016 (SAMP 382 OF 2016)

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 dispense with in filing of certificate and xerox copy of Decree and certified copy, Judgment in O.S.No.203 of 2009 of the file of the I Addl. Senior Civil Judge Court at Visakhapatnam dated 08.08.2011, in the interest of Justice.

IA NO: 2 OF 2016 (SAMP 430 OF 2016)

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 stay of all further proceedings including attachment of the petitioners property vide assessment No.10008-82743 admeasuring 4763 Sq.Yads covered by Sy.Nos.21/1, 20/2 consisting of 1188.01 Sq.Mts third floor situated at Pothinamallayyapalem Village, Chinagadili Mandal, Greater Visakhapatnam Municipal Corporation.

Counsel for the Appellant : KURITI BHASKARA RAO

Counsel for the Respondent :

The Court made the following

JUDGMENT:

Sri Kuriti Bhaskara Rao, learned counsel for the appellant, appeared through virtual mode, and submitted that O.S. No.203 of 2009 is filed by the appellant/plaintiff challenging the enhancement of property tax by way of attachment notice, dated 13.02.2009, issued by the respondent *i.e.,* Greater Visakhapatnam Municipal Corporation, Visakhapatnam. The said Suit was dismissed by the learned I Additional Senior Civil Judge, Visakhapatnam on 08.08.2011. Challenging the same, the appellant preferred Appeal Suit No.152 of 2011 and the said Appeal stood dismissed by the learned II Additional District Judge, Visakhapatnam on 21.09.2015, confirming the decree and judgment of the trial Court.

2. Learned counsel for the appellant fairly submits that though the Second Appeal is preferred, the appellant has been paying the enhanced property tax to the respondent – Municipal Corporation. Therefore, learned counsel for the appellant submits that no substantial question of law is to be decided in this Second Appeal as the appellant is already paying the enhanced property tax.

3. Recording the aforesaid submission under the Appeal, no substantial question of law now arise since decree of the trial Court is under compliance. Hence, the Second Appeal is dismissed. No order as to costs.

As a sequel, miscellaneous applications, if any, pending, shall stand closed.

Interim order, granted earlier, if any, shall stand vacated.

JUSTICE PURUSHOTTAM KUMAR CHINTALAPUDI

Date:12.11.2026
DSH

Whether the order is:

Speaking	√	Reasoned	
Reportable		Non-Reportable	√