

THE HON'BLE SRI JUSTICE GODA RAGHURAM
AND
THE HON'BLE SRI JUSTICE M.S. RAMACHANDRA RAO

WP Nos. 26231,26397,26352,26343 26233 and 26407 of 2012

Kalletla Vasudev and others

V

GHMC, Hyderabad and another.

THE HON'BLE SRI JUSTICE GODA RAGHURAM
AND
THE HON'BLE SRI JUSTICE M.S. RAMACHANDRA RAO

WP Nos. 26231,26397,26352,26343 26233 and 26407 of 2012

Order : (Per Sri GR, J)

The petitioners are common in all these writ petitions and the challenge in common is to the demand notice dated 5-7-2012 issued by the 2nd respondent demanding enhanced property tax as stipulated, for the year 2012-13, arrears of enhanced property tax and interest thereon.

Pursuant to a notice proposing enhancement of property tax issued on 29.8.2011, the petitioners submitted their objections on 29.10.2011, inter alia, disputing the plinth area of the buildings in question as specified in the show cause notice issued under section 220(2) (3) of the Greater Hyderabad Municipal Corporation Act 1955, (for short "the Act"). The 2nd respondent without considering the objections dated 29-10-2011, issued the impugned demand notices is the grievance asserted.

Smt. A. Deepthi, learned Standing Counsel appearing for the respondents-GHMC has fairly stated that provisions of Section 222 and 223 of the Act have not been complied with and that the second respondent is required to dispose

of objections lodged by the petitioners to the proposal for enhancement of the property tax, before issuing the final demand notices.

In the circumstances above, the demand notices impugned in these writ petitions are set aside. The second respondent is however, at liberty to consider the petitioners' objections and after due procedure as mandated under sections 222 and 223 of the Act, shall pass reasoned orders incorporating the final demand and communicate the same to the petitioners.

With the above directions, the writ petitions are disposed of at the admission stage.

GODA RAGHURAM, J

M.S. RAMACHANDRA RAO,

J

Date : 24-8-2012

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Dated 24-8-2012