

HIGH COURT FOR THE STATE OF TELANGANA : HYDERABAD

MAIN CASE NO: WRIT PETITION No.28103 of 2022

PROCEEDING SHEET

SL. NO	DATE	ORDER	OFFICE NOTE
2.	07.07.2022	<u>LK,J</u> <u>W.P.No.28103 of 2022</u> Rule nisi. Call for records. Notice returnable in four weeks. Learned Government Pleader for Municipal Administration and Urban Development takes notice on behalf of respondent No.1. Sri Chatla Madhu, learned Standing Counsel for GHMC, takes notice on behalf of respondent Nos.2 and 3. The respondents shall file their respective counters, if any, by the next date of hearing. Otherwise, orders will be passed basing on the material available on record. <u>I.A.No.1 of 2022</u> Learned counsel for the petitioner submits that earlier questioning the assessment passed by the respondent Corporation, the petitioner has filed M.A.No.353 of 2012, which was allowed on 22.04.2016 by setting aside the demand notice dated 25.03.2012 and the matter was remanded back to the assessment authority with a direction to reassess the property tax in respect of the subject premises by duly following the procedure laid down under law. He submits that after that notice was issued to the petitioner, he has appeared before the authority and later the petitioner has no communication. Now the impugned assessment notice dated 06.09.2021 is issued directing the petitioner to pay an amount of Rs.31,90,234/- and also issued	

SL. NO	DATE	ORDER	OFFICE NOTE
		Intimation letter dated 18.10.2021 demanding him to pay the penalty from 2011 onwards. He submits that the respondent Corporation without any notice to the petitioner and without passing any order, straightaway they have come up with a demand notice and intimation letter. Learned counsel submits that the property tax demanded by the respondent Corporation is barred by limitation. They cannot recover the property tax even under the Revenue Recovery Act, which is time barred. He submits that without any basis they have arrived at Rs.31,90,234/-, which is arbitrary and illegal. Sri Chatla Madhu, learned Standing Counsel, submits that he will file a detailed counter-affidavit in this regard. The amount raised for the last three years is Rs.85,064/-. Balancing the interest of the petitioner as well as the respondent Corporation, there shall be stay of all further proceedings pursuant to demand notice dated 06.09.2021 and intimation letter 18.10.2021 subject to the petitioner paying an amount of Rs.85,000/- within two weeks from the date of receipt of a copy of this order and the same is subject to further orders passed in this writ petition. On such payment, the respondent Corporation shall not take any coercive steps. If the petitioner fails to pay the amount as directed by this Court, the respondent Corporation is at liberty to proceed with in accordance with law. List on 21.07.2022. _____ LK,J Note: Issue C.C. today. (b/o) mar	

SL. NO	DATE	ORDER	OFFICE NOTE