

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

THURSDAY, THE TWENTY SECOND DAY OF AUGUST
TWO THOUSAND AND TWENTY FOUR

PRESENT

**THE HONOURABLE THE CHIEF JUSTICE ALOK ARADHE
AND
THE HONOURABLE SRI JUSTICE J SREENIVAS RAO**

WRIT PETITION NO: 6472 OF 2010

Between:

1. UNION OF INDIA, Rep. by its Secretary, Ministry of Urban Development, New Delhi.
2. The Executive Engineer, Hyderabad Central Divisions-III, Central Public Works Department, Koti, Hyderabad.

...PETITIONERS

AND

GREATER HYD. MUN. CORP., Rep. by the Deputy Commissioner, Circle-18, Secunderabad.

...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 preferably a Writ in the nature of Mandamus or any appropriate Writ, declaring the action of the respondent in levying the property tax/service charges for the premises NO. 1-11-206/1/1, consists of CPWD Staff Quarters at Allauddin Building, Begumpet, Hyderabad amounting to Rs. 4,51,184/- which is under the control of petitioners and declare the demand notice NO. BK No. 5604 Sl.No. 40, Dt. 10/3/2010 as illegal, arbitrary, without any authority of law, without jurisdiction, violative of Articles 285 of Constitution of India and Section 202 of Hyderabad Municipal Corporation of Hyderabad consequently set aside the same

I.A. NO: 1 OF 2010(WPMP. NO: 8346 OF 2010)

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 suspend the operation of the demand notice NO. BK No. 5604 Sl.No. 40, Dt. 10/3/2010 amounting to Rs. 4,51,184/- issued by the respondent, pending disposal of the Writ Petition

**Counsel for the Petitioners: SRI. GADI PRAVEEN KUMAR DY. SOLICITOR
GENERAL OF INDIA**

Counsel for the Respondent: SRI C DAMODAR REDDY(SC FOR GHMC)

The Court made the following: ORDER

THE HON'BLE THE CHIEF JUSTICE ALOK ARADHE

AND

THE HON'BLE SRI JUSTICE J.SREENIVAS RAO

WRIT PETITION No.6472 of 2010

ORDER: *(Per the Hon'ble the Chief Justice Alok Aradhe)*

Mr. Gadi Praveen Kumar, learned Deputy Solicitor General of India for the petitioners.

2. In this writ petition, the petitioners have prayed for the following relief:

“For the reasons stated in the accompanying affidavit the petitioners herein pray that this Hon'ble Court may be pleased to issue preferably a Writ in the nature of Mandamus or any appropriate Writ, declaring the action of the respondent in levying the property tax/ service charges for the premises No.1-11-206/1/1, consists of CPWD Staff Quarters at Allauddin Building, Begumpet, Hyderabad amounting to Rs. 4,51,184/- which is under the control of petitioners and declare the demand notice No. BK No.5604 Sl.No.40, Dt. 10/3/2010 as illegal, arbitrary, without any authority or law, without jurisdiction, violative of

Articles 285 of Constitution of India and Section 202 of Hyderabad Municipal Corporation of Hyderabad consequently set aside the same or pass such further order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case."

3. Learned Deputy Solicitor General of India submits that the writ petition involving similar issue has been decided by an order dated 19.12.2023 passed in W.P.No.6470 of 2010. The relevant extract of the said order reads as under:

"4. In view of aforesaid submission made and in view of facts of the case, it is directed that the petitioners shall be at liberty to make a representation to the Commissioner, Greater Hyderabad Municipal Corporation seeking exemption from payment of property within a period of four (04) weeks from today. Needless to state that in case such a representation is submitted, the Commissioner, Greater Hyderabad Municipal Corporation shall consider and decide the same in the light of judgments of Supreme Court in **Union of India v. Purna Municipal Council**¹ and **Municipal Corporation, Amritsar v. Senior Superintendent of Post Offices, Amritsar**

¹ (1992) 1 SCC 100

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Division² as expeditiously as possible preferably within a period of three (03) months from the date of receipt of such a representation. Till the representation submitted by the petitioners is considered and decided, the Corporation shall not take any coercive action against the petitioners.

5. Accordingly, the Writ Petition is disposed of. There shall be no order as to costs.

As a sequel, miscellaneous petitions, pending if any, stand closed.”

4. In view of the aforesaid, this Writ Petition is also disposed of on same terms and with similar directions.

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

SD/- N.SRIHARI
ASSISTANT REGISTRAR

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SECTION OFFICER

To,

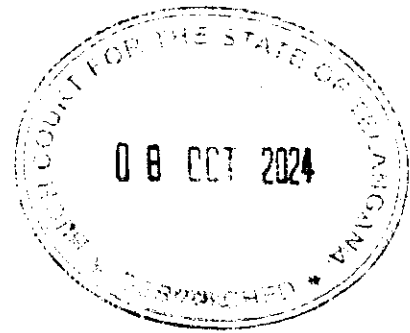
1. The Deputy Commissioner, GREATER HYD. MUN. CORP., Circle-18, Secunderabad.
2. One CC to Sri Gadi Praveen Kumar, Deputy Solicitor General of India [OPUC]
3. One CC to SRI. C DAMODAR REDDY(SC FOR GHMC) [OPUC]
4. Two CD Copies

KKS

PSK /g

HIGH COURT

DATED:22/08/2024



ORDER

WP.No.6472 of 2010

**DISPOSING OF THE WRIT PETITION
WITHOUT COSTS**

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28/9/24*