

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

THURSDAY, THE TWENTY SIXTH DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY FOUR

PRESENT

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

WRIT PETITION NO: 7316 OF 2010

Between:

St. Ann's Educational Society, Vijayawada, Sister in Charge of St. Theresa High School Arul Colony, ECIL Post, Secunderabad – 62, Rep. by its Correspondent.

...PETITIONER

AND

1. The State Of Andhra Pradesh, rep. by its Principal Secretary, Municipal Administration and Urban Development, Secretariat Buildings, Hyderabad
2. Greater Hyderabad Municipal Corporation, Kapra Circle, rep. by its Deputy Commissioner

...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 or an order more particularly one in the nature of writ of Mandamus declaring in action on the part of the respondent not considering the case of the institution for exemption for the payment of property tax in terms Sec. 202 (bb) of the Greater Hyderabad Municipal Corporation Act 20 of 1989 and issuing the demand notices nil dated received by the petitioner demanding property tax for the assessment period 01.04.2002 to 31.3.2010 for a total sum of Rs. 5,53,515/- dated 06.03.2010 vide its letter Lr.no. KC/A4/2273/2008 issued by the second respondent for premises bearing Door No. 1-1-300/A Arul Colony, ECIL (PO) hyderabad originate form demand notices nil dated 19.12.2008 and all its consequential notices bearing No. 792 dated 7.1.2009 and Lr.No. KC/A4/2273/2008 dated 27.03.2010 for premises bearing Door No. 1.1.300/A Arul Colony, ECIL(PO) Hyderabad is without jurisdiction, improper, illegal,

arbitrary and un-enforceable in law, violative of Greater Hyderabad Municipal Corporation Act, and consequently declare that petitioners as charitable institutions comes within the exempted category as per act 20 of 1989 as well as within the purview of G.O.Ms.no. 468 MA dated 31-07-1993.

I.A. NO: 1 OF 2010(WPMP. NO: 9447 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 to stay the impugned demand notices nil dated received by the petitioner on 19.12.2008 and 6.3.2010 demanding property tax for the assessment period 01.04.02 to 31.3.2010 for a total sum of Rs. 553515/- along with penalty issued by the second respondent for premises bearing Door No. 1-1-300/A Arul Colony, ECIL (PO) Hyderabad and all its consequential Demands No. 792 dated 7.1.2009, Lr.No. KC/A4/2273/2008 dated 27.03.2010 for premises bearing Door No. 1-1-300/A Arul Colony, ECIL (PO), Hyderabad and all its consequential demands proceedings.

Counsel for the Petitioner: M/s. G.SUDHA

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

Counsel for the Respondent No.2: SRI DURGA PRASAD, 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.7316 of 2010

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

Ms. G.Sudha, learned counsel for the petitioner.

2. Learned counsel for the petitioner submits that she has no instructions to argue the matter.
3. In view of the aforesaid, the writ petition is dismissed for want of prosecution.

Miscellaneous applications pending, if any, shall stand closed. However, there shall be no order as to costs.

**SD/- P. CH. NAGABHUSHAMBA
ASSISTANT REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To,

1. One CC to M/s. G.SUDHA, Advocate [OPUC]
2. One CC to SRI DURGA PRASAD, SC FOR GHMC [OPUC]
3. Two CCs to GP FOR MUNICIPAL ADMN AND URBAN DEV, High Court for the State of Telangana at Hyderabad [OUT]
4. Two CD Copies

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HIGH COURT

DATED: 26/09/2024



ORDER

WP.No.7316 of 2010

**DISMISSING THE WRIT PETITION
FOR WANT OF PROSECUTION,
WITHOUT COSTS**

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25/10/24*