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

WEDNESDAY, THE THIRTIETH DAY OF APRIL
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE B.VIJAYSEN REDDY

WRIT PETITION NO: 13610 OF 2025

Between:

M. Nagabushanam Gupta, S/o. Rajesharn Gupta, Aged about 77 years, Occ. Business, R/o. H.No. 5-6-661/A, Pragathi Nagar, Nizamabad.

...PETITIONER

AND

1. The State of Telangana, Rep. by its Principal Secretary to Government, Municipal Administration Department, Secretariat, Hyderabad
2. The Nizamabad Municipal Corporation, Nizamabad, rep. by its 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, order or a direction, more particularly one in the nature of Writ of Mandamus, declaring the action of the 2I'd respondent in not verifying/ rectifying the official online portal with regard to the property tax and also not considering the amounts already paid by the petitioner in respect of the petitioners property bearing H.No. 5-6-661/A, Pragathi Nagar, Nizamabad, upto the current year 2024-2025 and showing the arrears of tax from 2009-2010 to 2024-2025 as Rs. 4,64,59,120/-, due by him, in the official portal, is illegal, arbitrary and against the 2nd respondent's own re-assessment Intimation Letter in File No.D2/10964/2014/18-19, dated 12/06/2019, which was issued after following the judgment and decree dated 28/11/2018, passed in CMA No. 2/2013 by the Hon'ble Senior Civil Judge, Nizamabad and consequently direct the 2nd respondent to rectify the departmental Online Portal by removing the arrears of property tax appearing over the property bearing H.No. 5-6-661/A, Pragathi Nagar, Nizamabad with PTIN No. 1046049237.

IA NO: 1 OF 2025

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 direct the 2nd respondent to rectify the departmental Online Portal with PTIN No. 1046049237 in respect of petitioner's property bearing H.No.5-6-661/A, Pragathi Nagar, Nizamabad, showing the arrears of property tax payable by the petitioner from 2009-2010 to 2024-2025, pending disposal of the writ petition.

Counsel for the Petitioner : SRI D.BHASKAR REDDY

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

Counsel for the Respondent No.2 : SRI V.SATYAM REDDY, SC FOR NMC

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE B. VIJAYSEN REDDY

WRIT PETITION No.13610 OF 2025

ORDER : (ORAL)

This writ petition is filed by the petitioner seeking the following relief:

> "... to issue a writ, order, or a direction more particularly one in the nature of Writ of Mandamus, declaring the action of the 2nd respondent in not verifying/ rectifying the official online portal with regard to the property tax and also not considering the amounts already paid by the petitioner in respect of the petitioner's property bearing H.No.5-6-661/A, Pragathi Nagar, Nizamabad, upto the current year 2024-2025 and showing the arrears of tax from 2009-2010 to 2024-2025 as Rs.4,64,59,120/- due by him in the official portal is illegal, arbitrary and against the 2nd respondent's own reassessment Intimation Letter in File No.D2/10964/ 2014/1819, dated 12/06/2019, which was issued after following the judgment and decree dated 28.11.2018 passed in CMA No.2/2013 by the Hon'ble Senior Civil Judge, Nizamabad, and consequently direct the 2nd respondent to rectify the departmental Online Portal by removing the arrears of property tax appearing over the property H.No.5-6-661/A, Pragathi Nagar, Nizamabad, with PTIN No.1046049237 and pass ..."

2. Heard Mr. D. Bhaskar Reddy, learned counsel for the petitioner and Mr. V. Satyam Reddy, learned standing counsel for respondent No.2.

3. Learned standing counsel for respondent No.2 has placed on record the letter of respondent No.2, wherein, it is stated that respondent No.2 has not issued any reassessment intimation to the petitioner and the subject property is not reassessed.

4. Learned standing counsel submitted that writ petition is premature, and so far respondent No.2 has not decided to issue reassessment intimation and, as and when notice is issued to the petitioner, he is always at liberty to challenge such notice, if he is aggrieved thereby.

5. However, learned counsel for the petitioner submitted that in the official portal of respondent No.2, arrears of tax payable by the petitioner is shown as Rs.4,63,59,120/-. Thus, any time demand notice may be issued. That direction be issued to respondent No.2 to rectify the official online portal and comply with the judgment and decree passed in C.M.A. No.2 of 2013 dated 28.11.2018 on the

file of the learned Senior Civil Judge, Nizamabad, whereunder earlier demand notices were set aside and directions was given to the respondent No.2 to reassess the subject property.

6. In view of the above submissions, the writ petition is disposed of, directing the petitioner to submit representation to respondent No.2, within a period of ten (10) days from today to rectify the official online portal showing wrong arrears of tax for the period from 2009-10 to 2024-25 for a sum of Rs.4,63,59,120/- and for implementation of the judgment and decree passed in C.M.A. No.2 of 2013 dated 28.11.2018 in respect of the property bearing H.No.5-6-661/A, Pragathi Nagar, Nizamabad. On such representation being filed, respondent No.2 shall dispose of the same, within a period of four (4) weeks thereof, by affording opportunity of hearing to the petitioner. Pending consideration of the representation of the petitioner, *status quo*, obtaining as on today, shall be maintained in respect of the subject property. There shall be no order as to costs.

As a sequel thereto, miscellaneous applications, if any, pending in this writ petition stand closed.

SD/- T. TIRUMALA DEVI
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary to Government, Municipal Administration Department, Secretariat, State of Telangana, Hyderabad
2. The Commissioner, Nizamabad Municipal Corporation, Nizamabad.
3. One CC to SRI D.BHASKAR REDDY, Advocate. [OPUC]
4. Two CCs to GP FOR MCPL ADMN URBAN DEV, High Court for the State of Telangana. [OUT]
5. One CC to SRI V.SATYAM REDDY, SC for Nizamabad Municipal Corporation. [OPUC]
6. Two CD Copies.

BSK

GJP

HIGH COURT

DATED:30/04/2025

CC TODAY



ORDER

WP.No.13610 of 2025

DISPOSING OF THE WRIT PETITION
WITHOUT COSTS

(9) PA
2/5/25