

APHC010099152009



**IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)**

[3457]

MONDAY, THE FIRST DAY OF DECEMBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE HARINATH.N

WRIT PETITION NO: 21516/2009

Between:

- 1.KANURU VENKATESWARA RAO & ANOTHER,, S/O. K. NAGABHUSHANAM, BUSINESS, R/O. 64-9-14, PATAMATA LANKA, VIJAYAWADA, KRISHNA DISTRICT.
- 2.KANURU NAGABHUSHANAM,, S/O. K. PUNNAIAH, BUSINESS, R/O. 64-9-14, PATAMATA LANKA, VIJAYAWADA, KRISHNA DISTRICT.

...PETITIONER(S)

AND

- 1.VIJAYAWADA MUN CORP 2 ORS, REP. BY ITS COMMISSIONER, VIJAYAWADA, KRISHNA DISTRICT.
- 2.THE COMMISSIONER, VIJAYAWADA MUNICIPAL CORPORATION, VIJAYAWADA.
- 3.THE ASSISTANT COMMISSIONER, CITY CORPORATION, CIRCLE III, VIJAYAWADA, KRISHNA DISTRICT.

...RESPONDENT(S):

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 writ or order or direction more specifically Writ of Mandamus declaring the action of the respondents in not disposing of the complaint filed by the petitioners dated 25-03-2009 and continuing to levy property tax as per the revised rates under proceedings dated 25-03-2009 and continuing to levy property tax as per the revised rates under proceedings dated 06-06-2009 is

illegal, arbitrary, high handed and violative of principles of natural justice and violative of provisions of Municipal Corporation Act and violative of Fundamental rights enshrined under Article 14, 19(1)(g), 21 of the Constitution of India and consequently direct the respondents to revise the property tax as per the Rules under the Municipal Corporation Act, 1955

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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 stay all further proceedings pursuant to the proceedings dated 6-6-2009 including the recovery of property tax for the period April-September, 2009 for an amount of Rs. 5,11,621/-

Counsel for the Petitioner(S):

- 1.VENKAT CHALLA
- 2.SAI SANJAY SURANENI

Counsel for the Respondent(S):

- 1.S.V.S.S.SIVARAM SC For VMC

ORDER:

1. The learned counsel appearing for the petitioners requests time.
2. The learned Standing counsel appearing for the respondents submits that the petitioners are challenging the levy of taxes as per the revised rates under the proceedings dated 06.06.2009.
3. This Court, *vide* order dated 22.03.2010, granted interim stay, subject to the petitioners paying admitted amount of tax, if not already paid. It is also submitted that the petitioners have an alternate remedy by approaching the Commissioner of the Municipality under Section 282.
4. Recording the same, the present writ petition is disposed off, leaving it open for the petitioners to challenge the said levy before the appropriate authorities. There shall be no order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

JUSTICE HARINATH.N

Date:01.12.2025

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THE HONOURABLE SRI JUSTICE HARINATH.N

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Date: 01.12.2025

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