

APHC010629032023



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

[3206]

FRIDAY ,THE THIRD DAY OF MAY
TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HONOURABLE SRI JUSTICE R RAGHUNANDAN RAO

CIVIL REVISION PETITION NO: 3323/2023

Between:

P.venkatrayulu

...PETITIONER

AND

The Commissioner and Others

...RESPONDENT(S)

Counsel for the Petitioner:

1.P SARASWATHI

Counsel for the Respondent(S):

1.

The Court made the following Order:

The petitioner herein filed O.S.No.26 of 2014, before the I Additional Junior Civil Judge, Madanapalle against the Commissioner, Madanapalle Municipality and others. The complaint of the petitioner was that the Commissioner, Madanapalle Municipality was not giving a receipt of a sum of Rs.5,393/- towards tax paid by the petitioner, in relation to the property in Madanapalle Municipality.

2. This suit was decreed. Thereafter, the petitioner moved O.E.P.No.38 of 2022 contending that the Commissioner, Madanapalle Municipality has not been giving the necessary receipt in pursuance of the

decree. The Executing Court took note of the fact that the receipt had in fact been issued by the Commissioner. However, the petitioner contends that this receipt is not a receipt in the proper format and there would be difficulty in such a receipt being recognized otherwise. The trial Court, after considering this contention, by its order 24.03.2024, had held that the petition itself has become infructuous in view of the receipt issued by the Commissioner, Madanapalle Municipality.

3. Aggrieved by the said order, the present Civil Revision Petition has been moved.

4. It is the contention of the petitioner that the receipt which has also been filed along with the Civil Revision Petition papers is a receipt on a plain paper and as such, cannot be treated as a proper receipt, issued by the Madanapalle Municipality.

5. This contention is not acceptable to this Court. The receipt issued by the Commissioner, Madanapalle Municipality has already been recognized by the trial Court and as such, there can be no complaint that such receipt will not be treated as a true and proper receipt.

6. Accordingly, this Civil Revision Petition is dismissed. There shall be no order as to costs.

Miscellaneous petitions, pending if any, shall stand closed.

R. RAGHUNANDAN RAO, J

RJS

HON'BLE SRI JUSTICE R. RAGHUNANDAN RAO

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03.05.2024

RJS