**BEFORE THE DISTRICT CONSUMER DISPUTES REDRESSAL COMMISSION**

**AT MAHABUBNAGAR**

**CONSUMER COMPLAINT NO. \_\_\_\_\_\_of 2023**

**IN THE MATTER OF:**

P.V. Dhananjayudu

S/o Late S. Dhananjayudu,

Aged 71 years,

Occupation: Ex-servicemen- Indian army

Resident of Plot No.3, H.No.8-6-8/A/20,

Srinivasa Colony, Mahabubnagar Town & District

...Complainant

Versus

The Municipal Commissioner,

Mahabubnagar Municipality,

Mahabubnagar

...Opposite Party

COMPLAINT UNDER SECTION 35 OF THE CONSUMER PROTECTION ACT, 2019

MOST RESPECTFULLY SHOWETH:

1. The address of the Complainant for the purpose of service of summons, notice, etc is as shown in the cause title above and that of his counsel
2. The address of the Opponents for the very purpose is the same as shown in the cause title above.
3. Herein the above-named Complainant most respectfully submits as under,
4. It is submitted that the complainant is an ex-serviceman of the Indian Army and was allotted 200 sq. yards of land in Sy.No.211/2 at Srinivasa Colony, Mahabubnagar by the State Government under the ex-servicemen quota for construction of a house.
5. That the complainant constructed a house on the allotted land after taking necessary permission from the Opposite Party vide L.R.No.61/BA/298/1046/99 dated 04.02.2020. The house was allotted No. 8-6-8/A/20 by the Opposite Party.
6. That as per G.O.Ms.No.83, Municipal Administration and Urban Development Department dated 15.03.1997, the complainant being an ex-serviceman is eligible for exemption from payment of house tax.
7. That the complainant had submitted all necessary documents and certificates to the Opposite Party and requested for issuance of house tax exemption certificate vide representations dated 26.07.2021 and 26.09.2021.
8. Despite several requests, the Opposite Party failed to issue the tax exemption certificate but instead issued a demand notice dated 18.09.2022 demanding payment of Rs.2,637/- as house tax.
9. That the complainant caused a legal notice dated 24.01.2023 to be issued to the Opposite Party, which was duly received, but the Opposite Party neither responded to the notice nor issued the tax exemption certificate.
10. That the complaint is filed within the limitation period of 2 years prescribed under section 69 of the Consumer Protection Act.
11. That the failure of the Opposite Party to issue the tax exemption certificate despite being eligible amounts to deficiency in service. It has also caused unnecessary harassment, mental agony and financial loss to the complainant.

**CAUSE OF ACTION:** The cause of action in this case arises on 26.07.2021 when the opposite party , Mahabubnagar Municipality, failed to issue a house tax exemption certificate to the complainant, P.V. Dhananjayudu, an ex-serviceman allotted 200 sq. yards of land under the ex-servicemen quota for house construction. Despite obtaining necessary permissions and fulfilling eligibility criteria for tax exemption as per G.O.Ms.No.83.

**JURISDICTION**: The consideration amount in the present matter is less than Rs. 50 lakhs and the complainant resides within the territorial limits of this Hon’ble Commission. Hence this Hon’ble Commission has jurisdiction to try and entertain this complaint.

**COURT FEE:** That the Complainant is complying with the Court Fees Mandated under Rule 7 of the Consumer Protection (Consumer Dispute Redressal Commission) Rules, 2020.

.**EVIDENCE**:

1. Copy of allotment letter issued by the State Government allotting 200 sq yards land to the complainant under ex-servicemen quota.
2. Exemption letter G.O.Ms.No.83, Municipal Administration and Urban Development Department dated 15.03.1997
3. Copy of house construction permission letter no. L.R.No.61/BA/298/1046/99 dated 04.02.2020 issued by the Opposite Party.
4. Copy of demand notice dated 18.09.2022 issued by the Opposite Party demanding payment of Rs. 2,637/- as house tax.
5. Copy of representation dated 26.07.2021 submitted by the complainant to the Opposite Party requesting issuance of tax exemption along with eligibility certificate.
6. Copy of representation dated 27.09.2021 submitted by the complainant to the Opposite Party following up on tax exemption request.

**PRAYER**

In view of the above, it is most humbly prayed that the Hon'ble Commission may be pleased to:

a) Direct the opposite party to cancel the house tax demand and issue house tax exemption certificate to the complainant;

b) Direct the opposite party to pay Rs. 10,000/- as compensation for mental agony and inconvenience caused;

c) Award cost of the proceedings to the complainant; and

d) Pass any other order as deemed fit in the interest of justice.

**VERIFICATION**:

I, P.V.Dhananjayudu, the complainant do hereby verify that the contents of the complaint are true and correct to my knowledge, that no part is false and nothing material has been concealed therefrom.

Verified at Mahabubnagar on this \_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_ 2023.

Complainant

Through

Advocate XYZ

Mahabubnagar