

THE HON'BLE SRI JUSTICE A.V.SESHA SAI
WRIT PETITION No.30574 OF 2015

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking the following relief:

“to issue an order or writ one in the nature of writ of Mandamus, to declare the action of the respondents in insisting the petitioner to pay seigniorage fee of Rs.14,000/- per month per blade on block cutter on the cutting and polishing unit and Rs.2,500/- per month on every cutting machine for operating the units as arbitrary, illegal, unjust and contrary to Mines & Minerals (Development & Regulation) Act, 1957 and A.P. Minor Mineral Concession Rules, 1966.”

2. Heard Smt. N.Shoba, learned counsel for the petitioner, and the learned Government Pleader for Mines and Geology (Andhra Pradesh) appearing for the respondents, apart from perusing the material available before this Court.

3. When the matter is called today, it is submitted by the learned Government Pleader that in identical circumstances, this Court disposed of W.P.Nos.15456, 15511 and 15732 of 2010 by way of a common order and a copy of the said order is placed before this Court.

4. Following the above said common order and for the reasons recorded therein, this writ petition is also disposed of in the following manner:

“Admittedly, in the present case, no demand notices were issued, but the learned counsel for the petitioners categorically stated that the respondent authorities are orally demanding to pay the seigniorage fee, and if the respondent authorities contemplate to collect the seigniorage fee, the same shall be in accordance with law

by issuing demand notices.

The case of the petitioners in the instant writ petition is that they are not liable for payment of seigniorage fee, as they are not the quarry leaseholders. Under those circumstances, the respondents are directed to issue demand notices, if the petitioners are legally liable for payment of seigniorage fee, in accordance with law. There shall be no order as to costs.

5. Miscellaneous Petitions pending, if any, in this Writ Petition shall stand closed.

JUSTICE A.V.SESHA SAI

September 18, 2015

Note: Furnish C.C. in two (2) days. B/o.Pn

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