

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION NO.21490 OF 2011

DATED 3rd JUNE, 2015

Between:

Jasti Bhanu Prasad .. Petitioner

and

The Assistant Director, Mines and

Geology Department, Guntur

and another .. Respondents

THE HON'BLE SRI JUSTICE SANJAY KUMAR

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WRIT PETITION NO.21490 OF 2011

ORDER

The petitioner approached this Court assailing the action of the Assistant

Director of Mines and Geology, Guntur, Guntur District, the first respondent, in demanding payment of stamp duty and registration fee @ 5% on the bid amount in respect of Kolluru and Juvvalapalem Sand Reach, Reach No.4, Kolluru and Bhattiprolu Mandals, Guntur District. According to the petitioner, such a demand is contrary to law.

By order dated 29.07.2011, this Court granted interim direction as prayed for.

Sri C.V.R. Rudra Prasad, learned counsel for the petitioner, states that the lease period has already expired and the batch of cases pertaining to this issue has also been disposed of. A copy of the common order dated 10.04.2012 passed by this Court in W.P.No.17660 of 2008 and batch is placed on record and it demonstrates that this Court, taking note of the fact that the lease period had expired even in those cases, opined that nothing further remained to be adjudicated insofar as the leases were concerned. The Writ Petitions were accordingly disposed of with certain directions.

In terms of the above common order and for reasons alike as were mentioned therein, this Writ Petition is disposed of leaving it open to the respondents to make a fresh demand for payment of higher stamp duty and registration fee than that already paid by the petitioner as per the interim order dated 29.07.2011, if warranted, and in the event such a demand is made, it would be open to the petitioner to defend himself against such demand and also take recourse to all appropriate proceedings open to him in law.

Pending Miscellaneous Petitions shall stand closed. No order as to costs.

SANJAY KUMAR, J

3rd JUNE, 2015

PGS/Svv