

**IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA
PRADESH**

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WRIT PETITION No.21476 OF 2011

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Between:

Sri Asta Bhujja Kanaka Durga All Castes Boatmen
And Sand Loading, Unloading Workers Labour Contractor
Cooperative Society Ltd. No.G645, Penumudi, Guntur District,
Rep. by its President Kokkiligadda Dhananjaya Rao

.. Petitioner

And

The Assistant Director,
Mines and Geology Department,
Guntur, Guntur District, and another.

.. Respondents

DATE OF JUDGMENT PRONOUNCED: 20-07-2015

SUBMITTED FOR APPROVAL:

THE HON'BLE SRI JUSTICE SANJAY KUMAR

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|---|--------|
| 1. Whether Reporters of Local newspapers
may be allowed to see the Judgment? | Yes/No |
| 2. Whether the copies of judgment may be
marked to Law Reporters/Journals | Yes/No |
| 3. Whether Their Lordship wish to
see the fair copy of the Judgment? | Yes/No |

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.21476 of 2011

ORDER:

The petitioner approached this Court assailing the action of the

Assistant Director of Mines and Geology, Guntur, in demanding payment of stamp duty @ 5% on the bid amount in respect of Penumudi Sand Reach, Repalle Mandal, 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.

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, if warranted, and in the event such a demand is made, it would be open to the petitioner to defend itself against such demand and also take recourse to all appropriate proceedings open to it in law.

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

JUSTICE SANJAY KUMAR

20th July, 2015
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