

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.20491 of 2006

ORDER

This writ petition is filed seeking to declare the action of the respondents in deducting the seigniorage charges for the earth used for foreshore area/barrow area at the rate of Rs.20/-per cubic meter in respect of the work relating to the construction of viaduct from KM 37.825 to KM 38.262 on right main canal of Vamsadhara Project in Srikakulam District, as illegal and arbitrary.

2. Today, when the matter is taken up for hearing, it is submitted by the learned counsel for the petitioner and admitted to by the learned Standing Counsel for the respondents that the subject matter of this writ petition is squarely covered by the orders of this Court in W.P.No.9464 of 2012 and batch dated 12.08.2015, which was disposed of following its earlier order dated 15.11.2012 in W.P.No.17998 of 2012, wherein this Court considered similar issue and disposed of the same with the following observations.

“Hence, the Writ petition is disposed of directing that in case the seigniorage fee on the sand utilized by the petitioner in the works executed by it is deducted from the bills and proof thereof is filed before the Assistant Director of Mines and Geology, the penalty shall not be levied’.

3. In the circumstances, this writ petition is disposed of in terms of the orders passed in W.P.Nos.9464 of 2012 and batch dated 12.08.2015. There shall be no order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

CHALLA KODANDA RAM, J

3rd December, 2015

sj