THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION Nos.20626, 20689, 20776, 20788, 20803, 20853, 20859, 20862, 20880 and 20881 of 2012

DATED: 04.06.2015

W.P.No.20626 of 2012

Between:

M/s. Siri Sand Company

Rep. by its Managing Partner V. Ram Prasad

.. Petitioner

And

The Government of Andhra Pradesh,

Rep. by its Secretary, Industries & Commerce Department,

and others.

.. Respondents

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION Nos.20626, 20689, 20776, 20788, 20803, 20853, 20859, 20862, 20880 and 20881 of 2012

COMMON ORDER:

The petitioners approached this Court assailing the action of the Assistant Director of Mines and Geology, Rajahmundry, East Godavari District, in demanding payment of stamp duty and registration fee @ 5% on the bid amount in respect of respective sand reaches in East Godavari District. According to the petitioners, such a demand is contrary to law.

In all these writ petitions, this Court passed interim orders to the effect that payment if any made by the petitioners with regard to stamp duty shall be subject to result of the writ petitions.

Learned counsel for the petitioners state 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, these writ petitions are 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 petitioners, if warranted, and in the event such a demand is made, it would be open to the petitioners to defend themselves against such demand and also take recourse to all appropriate proceedings open to them 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

4th June, 2015

IBL