

THE HON'BLE SRI JUSTICE A.V. SETHA SAI

WRIT PETITION No.18615 of 2015

ORDER:

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

“to issue Writ of Mandamus declaring the action of the respondents and their subordinates in effecting recovery of one time penalty on the Seigniorage charges of sand from the work bills of the petitioner, where permits for sand issued by the Mines Department are not produced and without notice as illegal, arbitrary, unjust and violative of principles of natural justice and consequently direct the respondents to drop all further proceedings in this regard against the petitioner.”

Heard Sri D. Narasimha Rao, learned counsel for the petitioner and learned Government Pleaders for Mines and Geology and Social Welfare.

When the matter is taken up, it is submitted by the learned counsel for the petitioner that the issue in the present writ petition is squarely covered by the orders of this Court in W.P.No.17998 of 2012, dated 15-11-2012 and the copy of the same is also placed on record.

For the aforesaid reasons and following the above said orders and for the reasons accorded therein, this 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.
There shall be no order as to costs.

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

A.V. SESA SAI, J

June 24, 2015

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