

HONOURABLE SRI JUSTICE A.RAMALINGESWARA RAO

**WRIT PETITION Nos.24985, 28781, 28818 of 2009
15765 and 31510 of 2010**

COMMON ORDER:

1. These Writ Petitions are being disposed of by this common order as they challenge the recovery of seigniorage charges on sand with one time penalty from the bills and deposits of the petitioners, where permits for sand issued by the Mines and Geology Department were not produced.

2. An identical issue came up for consideration before this Court in W.P.No.17998 of 2012 and the same was disposed of on 15.11.2012. The said order was followed by another batch of cases in W.P.No.1426 of 2012 on 29.07.2015. Following those two orders, another batch of cases in W.P.No.9464 of 2010 was disposed of by this Court on 12.08.2015.

3. In view of the above orders, these Writ Petitions are also disposed of in terms of the order in W.P.No.17998 of 2012 dated 15.11.2012 as follows:-

(a) If the petitioners filed proof to the effect that seigniorage charges were deducted from their bills by the Departments concerned, under whom they have executed the contract works, no penalty shall be levied as per G.O.Ms.No.84 Industries and Commerce (MI) Department, dated 10.04.2007; and

(b) If the petitioners failed to produce such proof, the respondents are entitled to recover seigniorage charges along with one time penalty as envisaged in the aforesaid G.O.

4. Miscellaneous petitions, if any, pending shall stand closed. No order as to costs.

A.RAMALINGESWARA RAO, J

12-04-2016
Gsn