HONOURABLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.14184 of 2010

ORDER:

1. This Writ Petition was filed challenging the recovery of seigniorage charges on sand with one time penalty from the bills and deposits of the petitioner, 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, this Writ Petition is also disposed of in terms of the order in W.P.No.17998 of 2012 dated 15.11.2012 as follows:-

(a) If the petitioner filed proof to the effect that seigniorage charges were deducted from his bills by the Departments concerned, under whom he has 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 petitioner 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

26-04-2016
Gsn