

**THE HON'BLE SRI JUSTICE A. RAMALINGESWARA
RAO**

WRIT PETITION No. 14919 of 2008

ORDER:

The petitioner is an educational society running engineering colleges. It constructed a college building. While so, the 2nd respondent issued notice on 03.08.2006 calling upon the petitioner to produce the particulars of seignorage fee paid on sand, metal and bricks used for college building. The petitioner submitted required information by letter dated 21.03.2007. The 2nd respondent issued a notice on 23.03.2007 stating that the petitioner has not paid seignorage fee of Rs.8.33,663 and imposed a penalty of Rs.50,91,978/-. Thereafter, the 2nd respondent wrote a letter to the 1st respondent stating that the petitioner was liable to pay Rs.47,20,408/-. Based on the same, the 1st respondent issued a Show Cause notice on 28.07.2007 for the said amount and asked the petitioner to show proof of payment of seignorage fee. The petitioner approached the 1st respondent and submitted the required documentary evidence and further requested him to drop further action. When the 1st respondent issued a communication to the Tahsildar on 01.02.2008 seeking details of movable and immovable properties of the petitioner, this writ petition is filed

challenging the said communication dated 01.02.2008.

2. The above facts show that a demand was already raised for a sum of Rs.47,20,408/- and it is not known whether the said demand has become final or not. Now the 1st respondent issued a communication to the Tahsildar of Ghatkesar Mandal seeking information relating to movable and immovable properties of the college. It is not known about the future course of action to be taken by the 1st respondent pursuant to the communication dated 01.02.2008 and the communication that may be received from the Tahsildar, Ghatkesar Mandal.

3. In the circumstances, this Court feels that the writ petition is premature and the writ petition is liable to be dismissed.

4. Accordingly, the writ petition is dismissed. However, it is open to the petitioner to challenge the proceedings of the 1st respondent as and when the 1st respondent takes further action pursuant to the communication that may be received from the Tahsildar, Ghatkesar Mandal.

No costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

A. RAMALINGESWARA RAO, J

15th February, 2016

KSM

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