

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

W.P.No.19622 of 2010

ORDER:

This Writ Petition is filed under Article 226 of the Constitution of India for the following relief:

“To issue an appropriate writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the 1st respondent in directing the order respondents vide letter bearing No. PAO /DS/ELR/SN.A/A.2/2009-10/2009/ Dated 15-9-2009 to recover the seigniorage charge on sand with one time penalty from the bills of the petitioners in respect of the works executed by them under the Respondents 2 to 6 herein, on the ground that the permits for sand issued by the Mines Department were not produced, as illegal, arbitrary and unjust and consequently direct the respondents to drop all further proceedings in this regard against the petitioners.”

2. When the matter is called, it is represented by the learned counsel for petitioners so also the learned Government Pleader that the issue in the present writ petition is squarely covered by the orders of this Court in W.P.No.1426 of 2012 and batch, dated 29.07.2015 and copy of the same is also placed on record.

3. Following the above said judgment and for the reasons recorded therein, the Writ Petition is also disposed of, in the following terms:

- (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 & 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

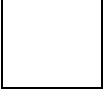
along with one time penalty as envisaged in the aforesaid G.O.

4. Miscellaneous petitions pending consideration, if any, in the Writ Petition shall stand closed in consequence. No order as to costs.

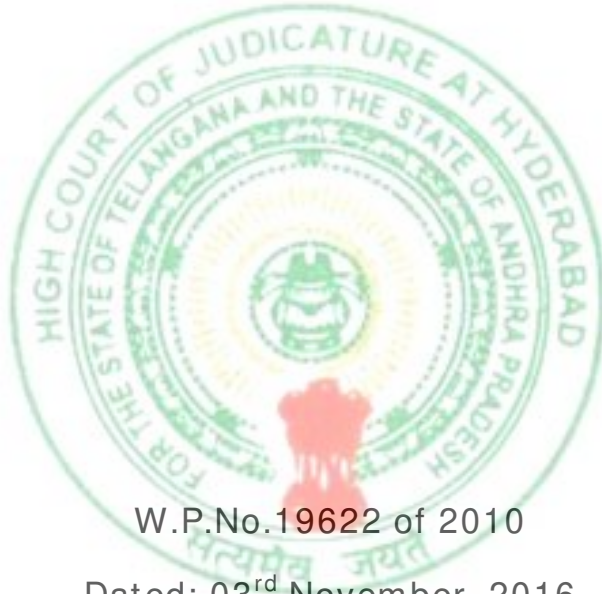
A.V.SESHA SAI, J

Date: 03.11.2016  
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THE HON'BLE SRI JUSTICE A.V.SESHA SAI



W.P.No.19622 of 2010

Dated: 03<sup>rd</sup> November, 2016

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