

THE HON'BLE SRI JUSTICE NOOTY RAMAMOHANA RAO

CONTEMPT CASE NO. 79 OF 2014

ORDER:

This contempt case is initiated by the writ petitioner complaining that the respondents, in particular, respondents 2&3 have violated deliberately and purposefully the interlocutory order passed by this Court on 11.10.2013.

It is appropriate to notice the order passed on 11.10.2013 in WPMP.No.36794 of 2013 in W.P.No.29633 of 2013, which reads as under:

“The 5th respondent shall ensure that respondents 3 and 4 will carry on the necessary constructions strictly in accordance with the building plan and they will not make any deviations therefrom.”

The fifth respondent in W.P.No.29633 of 2013/the first respondent in C.C.No.79 of 2014 is the Tirupati Urban Development Authority. Sri Ramachandra Reddy, learned Standing Counsel, who took notice on behalf of first respondent-Vice Chairman of the said Tirupati Urban Development Authority would submit that the Urban Development Authority is not the competent authority to undertake any demolitions and on the other hand, it can solicit the help of the local body for ensuring that all constructions are made strictly in accordance with the approved building plans. Accordingly, the first respondent has addressed the local Gram Panchayat. Insofar as respondents 2&3 are concerned, Sri M.P.Chandramouli and Mrs. Renuka, learned counsel who appeared for them have gone on record by way of an affidavit that they have not made any constructions after the above order is passed by this Court, contrary to the draft building plan. Insofar as such constructions which are considered to be in deviation of the approved building plan made prior to the order being passed by this Court, it was pointed out that they have been dealt with very firmly by the local body and in fact demolitions were also carried out. In that

view of the matter, I do not consider that the present case is an appropriate one to pursue the proceedings any further.

Hence, this contempt case stands dismissed duly discharging the notice issued earlier.

Consequently, miscellaneous applications pending if any shall also stand dismissed. No costs.

JUSTICE NOOTY RAMAMOHANA RAO

28.08.2015
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