

**IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA
PRADESH**

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Contempt Case No.1008 OF 2015

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Between:

Kadila Srinivasa Rao.

.. Petitioner

And

Sri K.Pradeep Chandra,
State of Telangana,
Secretary, Industries & Commerce Department,
Hyderabad and others.

.. Respondents

DATE OF JUDGMENT PRONOUNCED: 14-08-2015

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SUBMITTED FOR APPROVAL:

THE HON'BLE SRI JUSTICE SANJAY KUMAR

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|---|--------|
| 1. Whether Reporters of Local newspapers
may be allowed to see the Judgment? | Yes/No |
| 2. Whether the copies of judgment may be
marked to Law Reporters/Journals | Yes/No |
| 3. Whether Their Lordship wish to
see the fair copy of the Judgment? | Yes/No |

THE HON'BLE SRI JUSTICE SANJAY KUMAR

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Contempt Case No.1008 of 2015

ORDER:

This contempt case was filed alleging wilful disobedience to the order dated 18.01.2012 passed by this Court in W.P.No.33544 of 2011. By the said order, this Court directed the respondents to dispose of the representations of the writ petitioner dated 19.01.2011, 07.04.2011 and 08.12.2011 on merits in accordance with law within a time frame.

The learned Assistant Government Pleader for Mines and Geology stated that by letter No.769/SAND/2010 dated 09.02.2012, the Assistant Director of Mines and Geology, Mancheri, Adilabad District, informed the petitioner the result of the consideration of his representations. Thereby, the excess amount claimed by the petitioner was stated to have been forfeited due to non-payment of the second year lease amount. A copy of the said letter is placed on record along with the counter-affidavit. A photo copy of the facade of the returned envelope bearing the endorsement to the effect that no such person as the petitioner was available at the said house number and the communication was therefore returned to the sender, is also produced.

Smt.P.Vijaya Lakshmi, learned counsel representing Smt.N.Shoba, learned counsel for the petitioner, would contend that the aforesaid communication was never received by the petitioner and therefore, he may be permitted to assail the same at least at this stage.

The learned Assistant Government Pleader would however contend that all efforts were made by the authorities to serve the same upon the petitioner, but they failed to do so owing to the petitioner not being available at the address mentioned by him.

In any event, this Court cannot examine the merits of the letter

dated 09.02.2012 in exercise of contempt jurisdiction.

The contempt case is accordingly closed leaving it open to the petitioner to challenge the same in accordance with law. All issues are left open. No order as to costs.

SANJAY KUMAR, J

Date:14.08.2015

GJ