

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

Contempt Case No.2172 of 2014

Dated 13th March, 2015

Between:

Smt.Kalidindi Prabhavathi and others

...Petitioners

And

Sri A.Nagaraju Verma and others

...Respondents

Counsel for the petitioners: Sri C.Hanumantha Rao

Counsel for the respondents: AGP for Panchayat Raj

The Court made the following:

ORDER:

This contempt case is filed alleging wilful disobedience of order, dated 12.06.2013, in WPMP.Nos.12242 and 33411 of 2012 in W.P.No.9685 of 2012.

I have heard the learned counsel for the parties and perused the record.

The petitioners herein have filed the above-mentioned writ petition feeling aggrieved by the action of the respondents in allowing private parties, who are arrayed as respondent Nos.7 to 10 in the writ petition, to raise construction of a building in deviation of the sanctioned plan. This Court by order, dated 12.06.2013, directed the respondents herein to ensure that respondent Nos.7 to 10 in the writ petition raise constructions strictly in accordance with the sanctioned plan without any deviation and take appropriate steps to prevent the said respondents from raising construction in deviation of the sanctioned plan. As respondent Nos.7 to 10 in the writ petition have allegedly raised construction in deviation of the sanctioned plan and as the respondents herein remained mute

spectators without taking any action to prevent them from doing so, the petitioners have caused legal notice on the respondents on 10.07.2014.

In reply to the said legal notice, respondent Nos.2 and 3 have got a notice issued through their lawyer, wherein they have stated that on the representations of the petitioners, the respondents have initiated action for removal of the constructions raised in deviation of the sanctioned plan, that respondent Nos.7 to 10 in the writ petition have filed W.P.No.34617 of 2013 before this Court and secured an interim order in their favour on 02.12.2013, and that in view of the said interim order, the respondents are unable to take action against the illegal constructions.

At the hearing, the learned counsel for the petitioners has not disputed the fact that respondent Nos.7 to 10 in the writ petition have filed the above-mentioned writ petition and secured an interim order in their favour which has the effect of preventing the respondents herein from taking action against the illegal constructions. In view of this admitted fact, the respondents cannot be accused of violating the order of this Court as they are disabled from taking action under the judicial order passed by this Court.

In this view of the matter, I do not find any merit in this contempt case and the same is accordingly dismissed.

C.V.NAGARJUNA REDDY, J

13th March, 2015
VGB