

THE HON'BLE SRI JUSTICE K.C. BHANU

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CONTEMPT CASE No.1940 OF 2014

ORDER:

This Contempt Case, under Sections 10 to 12 of the Contempt of Courts Act, 1971, is filed to punish the respondent for his wilful disobedience of the Order of this Court, dated 27.08.2012, in Writ Petition No.24407 of 2012.

2. The aforesaid Writ Petition was disposed of directing the petitioner to file an application before the Sub Divisional Police Officer (SDPO), Guntakal, Anantapur District, for closure of rowdy sheet pending against him, and upon filing such application, the same was ordered to be disposed of in accordance with the Standing Order No.601 of Andhra Pradesh Police Standing Orders.

3. It is stated by learned counsel for the petitioner that the petitioner made a representation, dated 29.09.2012, and seal of the office of the SDPO was also obtained; that as the case of the petitioner has not been considered, reminder was sent firstly on 06.09.2013, and again another reminder was sent by registered post with acknowledgement due on 01.09.2014, but there is no response from the respondent, therefore, there is wilful disobedience of the order passed by this Court.

4. A detailed counter affidavit was filed by the SDPO stating that their office has not received the representation, dated 29.09.2012 and the alleged representation does not contain the signature or initial of the official, who received it, therefore, there is no wilful disobedience of the order of this Court and hence prayed to dismiss the contempt case.

5. There is no proof to show that the petitioner has given a representation to the

SDPO, Guntakal, in pursuance of the direction given by this Court. Though it is stated that he sent two reminders by way of registered post with acknowledgement due, that is not contemplated in the direction given by this Court. The direction to the petitioner is only to file an application before the SDPO, but the same has not been done so. Therefore, there is no wilful disobedience. The Contempt Case is devoid of merit and the same is liable to be dismissed.

6. Accordingly, the Contempt Case is dismissed. There shall be no order as to costs. Miscellaneous Petitions, if any, pending this case shall stand closed.

JUSTICE K.C. BHANU

Date:17.04.2015

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