

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

CONTEMPT CASE No.804 of 2014

Dated : 23.01.2015

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Between:

Payyavula Lakshmana, S/o.Late Venkateswara Rao,
Age 34 yrs, Occu : Agriculture Coolie,
R/o.D.No.5-1A, Opp :Gram Panchayat Office,
Kethanakonda Village,
Ibrahimpattanam Mandal, Krishna District & another

.. Petitioners

And

Sri Kunche Prasada Rao,
Joint Sub-Registrar-3,
Ibrahimpattanam,
Krishna District & another

.. Respondents

This Court made the following :

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

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ORDER :

By order dated 04.03.2014, this Court directed the respondents not to treat the petitioners patta land as Government land in Survey No.1/1, admeasuring Ac.1.19 cents and Survey No.1/4 admeasuring 0.62 cents, situated at Kethanakonda Gram Panchayat, Navepothavaram Village, Ibrahimpatnam Mandal, Krishna District and the Joint Sub-Registrar (4th respondent) in the writ petition was directed to issue Market Value Certificate and to receive and process the deed of conveyance as and when presented and release the same, if the same is in order.

2. Pursuant to the directions of this Court, on 18.03.2014 Market Value Certificate was issued by the 4th respondent. In the said certificate the unit rate was mentioned as Rs.12 Lakhs per Acre.

3. This Contempt case is filed alleging that the respondents-Authority have not decided the market value correctly and therefore, violated the orders of this Court and therefore, liable for punishment under the Contempt of Courts Act.

4. Learned Counsel for the petitioners contend that in the market value certificate issued on 18.03.2014, the valuation shown was Rs.12 Lakhs, whereas for the same property in the certificate issued on 24.04.2014, the valuation was shown as Rs.4 Lakhs. Since the respondents have not given the correct market value, the petitioners have not taken further steps.

5. In the counter affidavit filed on behalf of the 1st respondent it is averred that since the property was shown as prohibited property, the market value in the prohibited register was shown as Rs.4 Lakhs and when applied for computer generated statement, the same was shown as Rs.4 Lakhs. Whereas, the market value of the said land was enhanced to Rs.12 Lakhs per Acre and therefore, when the certificate was issued pursuant to the directions of this Court, it was shown as Rs.12 Lakhs. The discrepancy in the computer generated statement is because of non-rectification of the revenue records.

6. The issue for consideration in this Contempt case is whether there is deliberate and willful disobedience of the authority on the directions issued by this Court to issue market value certificate. The Court has not stated as to in what manner the certificate should be issued and what should be the value mentioned. Thus, there is no violation much less willful or deliberate disobedience of the orders of this Court. If there is discrepancy in the

valuation on the unit rate, the petitioners have to independently work out their remedies. Hence, I see no disobedience warranting initiation of action against the respondents.

7. Accordingly, the Contempt Case is dismissed leaving it open to the petitioners to work out their remedies. There shall be no order as to costs.

8. Miscellaneous petitions, if any, pending in this Contempt Case shall stand dismissed.

23rd January, 2015.
Rds

P.NAVEEN RAO,J