

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

FRIDAY, THE TENTH DAY OF APRIL
TWO THOUSAND AND FOURTEEN

PRESENT

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

AND

THE HON'BLE SRI JUSTICE S. RAVI KUMAR

CONTEMPT CASE No.12 of 2015

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BETWEEN

B.A.N. Maddilety.

...PETITIONER

AND

Sri Ch. Pulla Reddy, Project Director/Addl. DPC, NREGS, DWMA, Kurnool District.

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...RESPONDENTS

Counsel for the Petitioner: MR. K.RATHANGA PANI REDDY

Counsel for the Respondents: MR. M.S.R. CHANDRA MURTHY

The Court made the following order:

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ORDER: (Per Hon'ble Sri Justice Vilas V. Afzulpurkar)

This contempt case is filed alleging that the directions of this Court in WA.No.1282 of 2012 dated 06.12.2012 are not complied with by the respondent.

2. The operative direction, which is relevant for the purpose of this

contempt case, is as follows:

“3. Accordingly, we direct the respondent authorities to consider the case of the writ petitioner sympathetically in case, as scheme is till continuing.”

3. Learned counsel for the petitioner submits that even after the orders of this Court, as above, the respondent has simply reported to the petitioner that his earlier termination order stands good.

Learned counsel further states that since the aforesaid was not the intention or purport of the directions of this Court, the petitioner had issued a legal notice to the respondent dated 12.08.2014 and thereafter, since no action was taken, the present contempt case is filed.

4. We have heard the learned counsel for the petitioner and the learned standing counsel, who has produced a copy of the order passed by the respondent dated 09.07.2013, which is referred to in the legal notice.

5. It is evident from a reading of the said proceedings that to comply with the directions of this Court and on the representation of the petitioner dated 07.02.2013, the Commissioner Rural Development, AP, Hyderabad issued instructions to follow the opinion of the Additional Advocate General regarding renewal of the contract of the individual based on the performance of the individual. Thereafter, on the basis of the opinion obtained, the case of the petitioner has been re-examined and on the basis of his performance, it was found that the petitioner was involved in serious financial irregularities committed repeatedly from time to time even after reinstatement. Hence, it was concluded that even after reviewing the case of the petitioner sympathetically, since the performance of the petitioner leads to series of irregularities wherever he worked, the representation of the petitioner cannot be allowed and reinstatement cannot be ordered and consequently, it was observed that the termination orders already issued to the petitioner holds good.

6. Learned counsel for the petitioner seriously objects to the manner in

which the reconsideration is done.

7. However, in our view, the intention and purport of the directions of this Court, therefore, was to re-examine the matter, if the scheme is continuing. Evidently, the respondent did not find it appropriate to consider the petitioner's request, as per his representation,

after examining the facts and circumstances of the case.

We, therefore, do not see any non-compliance of the directions of this Court, as complained of.

The contempt case is accordingly dismissed. The miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

VILAS V. AFZULPURKAR, J

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S. RAVI KUMAR, J

April 10, 2015
DSK