

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

C.C.No.606 of 2014

Between:

_____ K.Mary Ratnam, W/o. late K.Paul Raju.
_____ Aged about 71 years, Secretary & Correspondent,
_____ St. Mary's Educational Society,
_____ (Reg.No.26/1988), R/o. H.No.167,
_____ Rajahmundry, E.G. District and another.

...Petitioners

And

_____ St. Mary's Educational Society rep., by its President
_____ Sri K.Rajendra Kumar, (Reg. No.26/88),
_____ Rajahmundry, E.G. District.

... Respondent

JUDGMENT PRONOUNCED ON: 2108.2015

**THE HON'BLE SRI JUSTICE RAMESH
RANGANATHAN**

- 1. Whether Reporters of Local newspapers
may be allowed to see the Judgments? _____ :
- 2. Whether the copies of judgment may be
marked to Law Reports/Journals _____ :
- 3. Whether Their Ladyship/Lordship wish to
see the fair copy of the Judgment? _____ :

THE HON'BLE SRI JUSTICE RAMESH
RANGANATHAN

-
Contempt Case No.606 of 2014

ORDER:

The present contempt case is filed alleging willful and deliberate violation of the order passed by this Court in W.P.No.33759 of 2013 dated 23.12.2013. By the said order, this Court recorded the submission of the respondent-contemnor, who was personally present in Court on that day, that the investigation was at an advanced stage and, on its

completion, a final report will be filed within one (1) week from the date of the order. As Sri S.Sriramachandra Murthy, learned counsel for the petitioners, stated that it would suffice if the statement of the respondent-contemnor was recorded, this Court closed the writ petition recording the statement of the respondent-contemnor that investigation would be completed and a final report would be filed within one week.

Compliance of the order of this Court dated 23.12.2013 required the respondent-contemnor to file a final report on or before 30.12.2013. The fact, however, remains that it was filed only on 29.09.2014 nearly nine months thereafter. On the contempt case being admitted and notice in Form-I being issued, the respondent-contemnor was present in Court. He has now filed an affidavit seeking to explain the delay. It is his case that, after the order of this Court, he was attached to the Rapid Intervention Team from 01.01.2014 to 30.06.2014; from 01.01.2014 onwards he was busy with the enforcement work in the Rapid Intervention Team at Rajahmundry for the ensuing general elections; he reported at Rajahmundry III Town Police Station (L&O) on 30.06.2014; for the period of three months from 30.06.2014 to 29.09.2014 as many as 43 cases were registered and investigated into; he was also required to perform bundubust duties during the said period, and nearly 15 night duties round the clock were performed by him; and hence there was a delay in finalizing the investigation, and in filing the final report. The respondent further stated that he has the highest respect and regard for the orders of the Court and that he was sincerely tendering his unconditional apology.

Having stated before this Court that he would file a final report within one week, the action of the respondent in not doing so for nearly nine months thereafter shows gross negligence on his part and would amount to willful and deliberate violation of the order of this Court. If, really, the respondent was not in a position to comply with the order, he should have filed a petition in the writ petition seeking extension of time. A petition seeking to explain the delay in complying with the order of this Court would not be

countenanced in contempt proceedings. For willful and deliberate violation of its orders, this Court would, ordinarily, impose punishment. Learned Government Pleader for Home would, however, submit that the respondent-contemnor is a probationary Sub-Inspector; any punishment imposed by this Court would affect his career prospects; he has realised his mistake; and he would be careful in future. I consider it appropriate, therefore, not to take any further action against the respondent under the Contempt of Courts Act. The Contempt Case is, accordingly, dismissed.

The Contempt Applications, pending, if any, shall also stand closed. There shall be no order as to costs.

RAMESH RANGANATHAN, J

21st August 2015.
JSU