

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

CONTEMPT CASE No. 1128 of 2013

JUDGMENT:

Heard learned counsel for the applicants and learned Government Pleader for Revenue.

This Contempt Case is filed under Sections 10 to 12 of the Contempt of Courts Act, 1971 (for short "the Act"), to punish respondent Nos.2 to 4 for violating the orders passed by this Court on 22.03.2012 in W.P.M.P.No.10224 of 2012 in W.P.No.8068 of 2012.

While issuing notice before admission, this Court directed respondent Nos.2 to 4 to consider the representations of the petitioners dated 06.02.2012 and 15.02.2012 and pass appropriate orders in accordance with law within four (04) weeks from the date of receipt of the order. As no orders were passed on the said representations, the applicants filed the present Contempt Case.

The then Tahsildar, Nellore, presently working as Special Deputy Collector, Vigilance Cell (C.S.), APCS Corporation Limited, Ongole at Prakasham District, filed counter stating that vide proceedings No. RC.B.4234/2012 dated 04.02.2013 the applicants were informed that their request for eviction of encroachments existing in their plots cannot be considered at this point of time and that the applicants may approach the appropriate forum to obtain specific orders for eviction of land grabbers existing in their plots, if they are so advised. It is further stated that in spite of receiving the above proceedings, the applicants approached this Court by suppressing the same.

A perusal of the order dated 04.02.2013, passed by the fourth respondent would clearly show that the orders in the said proceedings came to be passed while considering the representations dated 06.12.2012 and 15.02.2012 made by the applicants seeking eviction of

the land grabbers from the plots allotted to them. Since the order passed by this Court in W.P.M.P.No.10224 of 2012 in W.P.No.8068 of 2012 is complied with, it cannot be said that there was any contempt by the respondents.

In the aforesaid background, I do not see any reason to hold that the respondents have violated any order or the direction given by this Court. It is always open to the petitioners, who are aggrieved by the order dated 04.02.2013 passed by the fourth respondent, seek redressal by way of initiating appropriate independent proceedings, in accordance with law.

Accordingly, the Contempt Case is dismissed. As a sequel thereto, Miscellaneous Petitions, if any, pending shall stand closed.

C. PRAVEEN KUMAR, J

11.08.2015

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