

THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

CONTEMPT CASE NO.1655 OF 2013

ORDER:

The order, violation of which is alleged in this Contempt Case, is the order passed by this Court in W.P. No.16960 of 2013 dated 24.06.2013 whereby the Tahsildar, Chillakuru was directed to consider the petitioner's application for grant of Pattadar Pass Book in accordance with law, pass orders thereupon and communicate the same to the petitioner within two months from the date of receipt of the order. A copy of the order of this Court was received by the 3rd respondent on 22.07.2013. The justification given, for non-compliance of the order till an endorsement was passed on 18.10.2013, is that all the employees, in the present State of Andhra Pradesh, had gone on strike against the bifurcation of the State; and consequently no order could be passed in compliance with the directions of this Court.

Learned Government Pleader would draw attention of this Court to the endorsement dated 18.10.2013, issued by the respondent-contemnor, informing the petitioner that the Joint Collector, Nellore and Sub-Collector, Gudur had directed him to conduct enquiry to convert Inam lands into Ryotwari Patta as per the provisions contained in the A.P. (AA) Inams (Abolition and Conversion into Ryotwari) Act, 1956; notices under Section 3 of the said Act were issued calling upon interested persons to file statements; and the petitioners were also called upon to file all documents in connection with the lands, and were informed that their request for issue of Pattadar Pass Books and Title Deeds would be taken up immediately after conversion of Inam land into Ryotwari, under the provisions of Inam Abolition Act.

It is evident from the said endorsement that the petitioners could not be granted Pattadar Pass Books as an exercise was directed to be undertaken to convert Inam lands into Ryotwari lands. While there is no explanation for the failure to pass orders from 22.07.2013 till 13.08.2013,

the fact remains that the order of this Court required the respondent-contemnor to pass orders, and communicate the same, within two months from the date of receipt of the order of this Court. As the order of this Court was received by the respondent-contemnor on 22.07.2015, he had time till 22.09.2015 to comply with the order. The intervening State-wide agitation from 13.08.2013 appears to have been the cause for non-consideration till 18.10.2013. While there is a violation of the order passed by this Court, till orders were passed on 18.10.2013, it cannot be said that such violation is wilful and deliberate, as it was on account of the respondent-contemnor's inability to pass the order because of the State-wide agitation of all employees. I see no reason, therefore, to proceed against the respondent under the Contempt of Courts Act. The Contempt Case is closed. The miscellaneous petitions pending, if any, shall also stand closed. No costs.

RAMESH RANGANATHAN, J

Date: 11.12.2015.

MRKR