

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

Contempt Case No.1768 of 2014

Dated 17th July, 2015

Between:

Mr.R.Dasarath Singh

...Petitioner

And

Sri Mukesh Kumar Meena and others

...Respondents

Counsel for the petitioner: Sri Amarnath Goud Thodupunuri

Counsel for the respondents: GP for Revenue (TS)

The Court made the following:

ORDER:

This contempt case is filed alleging wilful disobedience of order, dated 01.10.2013, in W.P.No.28377 of 2013.

The above-mentioned writ petition filed by the petitioner was dismissed by this Court by order, dated 01.10.2013, holding that as the representation made by him is not in conformity with the procedure prescribed under Section 4 of the A.P.Rights in Land and Pattadar Passbooks Act, 1971 (for short 'the Act'), no mandamus can be issued to the respondents to consider and dispose of the same. This Court, however, permitted the petitioner to approach the respondents within whose jurisdiction the land is situated with an application in the prescribed form and that if such application is received by the Tahsildar, Asifnagar he shall consider the same and hold an enquiry under section 5(3) of the Act and communicate the same to the petitioner expeditiously. The grievance of the petitioner in this contempt case is that despite the said order, the respondents have not

held any enquiry and passed appropriate order.

Respondent No.3 filed a counter affidavit and Memo bearing Lr.No.C/WP.28377/2013, dated 03.03.2014, issued by him in pursuance of the order, dated 01.10.2013, in W.P.No.28377 of 2013. It is stated in the said Memo that as the entire Hyderabad division is converted into non-agricultural purpose, the Act has no application and that therefore, the petitioner's application under the said Act cannot be considered. Respondent No.3 has, however, informed the petitioner that he can approach the District Collector for rectification of the entries in TSLR under the A.P.Survey and Boundaries Act, 1923.

In the light of the above-noted Memo, I am of the opinion that the respondents have complied with the order of this Court by considering the fresh application made by the petitioner and expressing their view. If the petitioner feels aggrieved by the said Memo, he shall be free to avail a fresh remedy.

For the above-mentioned reasons, I do not find any merit in the contempt case and the same is accordingly dismissed.

As a sequel to dismissal of the contempt case, Application No.991 of 2014 shall stand disposed of as infructuous.

C.V.NAGARJUNA REDDY, J

17th July, 2015
VGB