

THE HON'BLE SRI JUSTICE R.SUBHASH REDDY

CONTEMPT CASE No.1094 of 2014

ORDER:

This Contempt Case is filed under Sections 10 to 12 of the Contempt of Courts Act, alleging that the respondents have violated the directions issued by this Court in the order dated 15.05.2014 passed in WPMP.No.18092 of 2014 in W.P.No.14570 of 2014.

The dispute relates to the land admeasuring Ac.0.83 cents in Sy.No.1/1 of Chuttugunta Ramapuram Village, Ramachandrapuram Mandal, Chittoor District. The petitioner claims that he is in possession of the said land. Earlier also the petitioner has filed a writ petition being W.P.No.12661 of 2011 before this Court and the same was disposed of by order, dated 01.11.2013, permitting the respondent authorities to initiate appropriate proceedings for eviction of the petitioner and the petitioner was granted liberty to resist such proceedings, if initiated.

In the counter affidavit filed on behalf of the respondents, it is clearly stated that subsequent to disposal of W.P.No.12661 of 2011, the Tahsildar, Ramachandrapuram Mandal, Chittoor District, has passed orders on 11.06.2014 in R.Dis.A/362/2013. A copy of the said order is also placed on record. In the said order, a finding is recorded that the petitioner was not in possession of the subject land and the documents relied on by him are fabricated. Of course this Court does not find it necessary to record a finding on such pleas, as it is submitted that against the said order dated 11.06.2014, an appeal is filed and the same is pending.

As the order of *status quo* was granted in the present writ petition prior to passing of the order, dated 11.06.2014, in R.Dis.A/362/2013, it cannot be said that there is willful violation of the directions issued

by this Court. It is open to the petitioner to pursue the appeal which is stated to be pending before the appellate authority, but in the light of the findings recorded by the Tahsildar, Ramachandrapuram Mandal in the order, dated 11.06.2014, in R.Dis.A/362/2013, it cannot be said that the respondents have violated the directions issued by this Court attracting the provisions of the Contempt of Courts Act.

Accordingly, the Contempt Case is dismissed. No order as to costs.

The miscellaneous petitions, if any, pending in this Contempt Case shall stand closed.

R.SUBHASH REDDY, J

27.11.2015

v v