

HON'BLE SRI JUSTICE M.S.RAMACHANDRA RAO

C.C.No.1900 of 2015

ORDER:

This Contempt Case is filed alleging willful disobedience of the order dt.01-09-2014 in W.P.M.P.No.31626 of 2014 in W.P.No.25282 of 2014. In the said order, this Court stated:

“Heard the learned counsel for the petitioners and Sri B.Hanumantha Rao, learned Standing Counsel for R-2 and R-3.

The title of the petitioners to the subject land is prima facie established by the sale deeds filed by them. They contend that they are in possession and enjoyment of the same and that the respondent Nos.2 and 3 are attempting to erect fencing around the lands purchased by them without following any due process of law.

In this view of the matter, there shall an interim direction to the respondents not to interfere with the peaceful possession and enjoyment of the petitioners' plot Nos.288 and 289 in Sy.No.143 of Joharapuram village in K.P.Venkata Reddy colony of Kurnool Municipal Corporation, except in accordance with law.”

2. Respondent No.3 has filed a counter stating that he has never worked as Assistant City Planner in Kurnool Municipal Corporation as alleged by the petitioners and that he was working as Town Planning Officer in Gunthakal Municipality. He stated that he was only deputed to work as Town Planning Officer in Kurnool Municipal Corporation for four days in a week and that the then Assistant City Planner was in-charge person to look

after the case. It was also denied that 3rd respondent went along with the 2nd respondent to the subject site and removed poles found erected around the plots as alleged by the petitioners.

3. Although the 2nd respondent has not filed any counter, learned counsel for the petitioners as well as learned Standing Counsel for 2nd respondent state that there is no interference by the respondents with the peaceful possession and enjoyment of the petitioners' plots.

4. Therefore, I do not wish to proceed with the Contempt Case. Granting liberty to the petitioners to approach this Court, if and when any interference with their enjoyment is made by the respondent Nos.2 and 3, this Contempt Case is closed.

5. As a sequel, the miscellaneous petitions pending, if any, shall stand closed.

JUSTICE M.S.RAMACHANDRA RAO

Date: 28-12-2015

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