THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

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Contempt Case No.868 of 2013

ORDER:

Neither is the learned counsel for the petitioners present nor is there any representation on his behalf.

The order, violation of which is alleged in this Contempt Case, is the order passed in W.P.No.6730 of 2013 dated 07.03.2013, whereby the petitioners were permitted to submit an application, in the prescribed form, within two weeks from the date of the order; and in case such an application was filed, in accordance with the form prescribed under the Andhra Pradesh Rights in Land and Pattadar Pass Books Act, 1971 (for short 'the Act') and the Rules made thereunder within the aforesaid period, the 3rd respondent was directed to consider the same, and pass orders thereupon in accordance with law within two months thereafter.

In the counter affidavit filed by the 3rd respondent, it is stated that, even after the disposal of the writ petition, the petitioners did not file any application in Form VI-A in terms of Section 4(1) of the Act and Rule 18 of the Andhra Pradesh Rights in Land and Pattadar Pass Books Rules, 1989 for issuance of pattadar pass books for the subject lands; even without filing the application, the petitioners had filed the Contempt Case alleging that, though they had filed an application in the prescribed form, the respondents had refused to receive the same and had violated the order of this Court dated 07.03.2013; after filing of the Contempt Case, the 5th petitioner had filed a representation on 29.04.2013 on a plain white paper with a request to issue pattadar pass books; the Village Revenue Officer had enquired into the matter, and had reported that civil suits were pending, in respect of the subject lands, in O.S.No.114 of 2009, 52 of 2011 and 77 of 2011 on the file of III and IV Additional District Courts, Kakinada and injunction orders passed therein were subsisting; in view thereof, he had issued an endorsement on 30.04.2013; and a copy thereof was served on the petitioners on 03.05.2013 by Registered Post. The 2nd respondent denies violation of the order of this Court.

The order of this Court required the petitioners to make an application, in the prescribed form, within two weeks from the date of the order, and the respondents to consider the same and pass orders thereon within two months thereafter. As the petitioners did not even submit an application in the prescribed form, the respondents cannot

be said to have violated the order of this Court. In any event, an endorsement was made even on the application submitted by the 5th petitioner on a white paper, after the Contempt Case was filed and a copy of the said endorsement was served on him on 03.05.2013. The order of this Court has not been violated, much less wilfully and deliberately. I see no reason, therefore, to proceed against the respondents under the Contempt of Courts Act.

The Contempt Case is, accordingly, closed.

Contempt Applications, pending, if any, shall also stand closed. There shall be no order as to costs.

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RAMESH RANGANATHAN, J

13th November 2015.

JSU

THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

Contempt Case No.868 of 2013

Date: 13.11.2015

JSU