

THE HON'BLE SRI JUSTICE SANJAY KUMAR

CONTEMPT CASE NO.1767 OF 2014

DATED 22nd JUNE, 2015

Between:

The Cosmopolitan Co-operative Housing
Society Ltd.

.. Petitioner

and

Sri Vinod Kumar G. Agrawal, I.A.S., and others

.. Respondents

THE HON'BLE SRI JUSTICE SANJAY KUMAR

CONTEMPT CASE NO.1767 OF 2014

ORDER

This contempt case was instituted alleging willful disobedience to the order dated 06.08.2013 passed by this Court in W.P.No.10545 of 2013.

By the said order, this Court set aside the Memo dated 22.10.2011 issued by the Government of Andhra Pradesh whereunder the lands in Sy.Nos.16 and 17 of Mansoorabad Village, Saroornagar Mandal, Ranga Reddy District, were shown as Government lands. This Court further directed the revenue authorities, respondents 1 to 3 in the writ petition, to de-notify the lands in the subject survey numbers. This contempt case was filed only against respondents 1 to 3 in the writ petition.

In the additional counter-affidavit filed by the Deputy Collector and Tahsildar, Saroornagar Mandal, it is specifically stated that except issuing a list to the registration authorities, no notification had been issued as regards the subject lands. In that view of the matter, the Tahsildar stated that there was no necessity to de-notify the subject lands. He further placed on record the letter dated 13.04.2015 addressed by him to the Sub-Registrar, Saroornagar Mandal, wherein he requested the Sub-Registrar to take steps for implementation of this Court's order without reference to the list communicated by his office earlier.

In the light of the aforestated developments, it is clear that the revenue authorities have taken necessary steps in the matter. Unless a notification was issued under Section 22-A(2) of the Registration Act, 1908, the necessity of following the due procedure of de-notification by

way of a Gazette publication would not arise. As the revenue authorities merely communicated a list to the registration authorities, the present action of the Tahsildar concerned in asking the registration authorities to ignore the same would be sufficient to infer de-notification of the subject lands. This Court therefore finds no willful disobedience to the order dated 06.08.2013 in W.P.No.10545 of 2013 warranting exercise of contempt jurisdiction.

The contempt case is accordingly dismissed. No order as to costs.

SANJAY KUMAR, J

22nd JUNE, 2015

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