

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

CONTEMPT CASE No.1619 OF 2014

ORDER:

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This Contempt Case is filed alleging violation of the orders, dated 24-07-2012, passed in W.P.22509 of 2012. Wherein, this Court directed the respondents 1 and 2 to consider the representations of the petitioner dated 01-01-2010, 15-01-2010, 25-01-2010 and 23-05-2012 and take further action in accordance with law.

It is the case of the petitioner that inspite of the directions, the respondents 1 and 2 have not considered the representations of the petitioner for taking action against the 3rd respondent.

Counter is filed by the respondent-Corporation stating that the notices were issued under Sections 452(1) and 461(1) of Greater Hyderabad Municipal Corporation Act (for short "the Act") and thereafter subsequent affidavit was filed on 03-08-2015 stating that in pursuance of the notices issued under Sections 452 (1) and 461 (1) of the Act and a notice under Section 636 of the Act were issued to the 3rd respondent. When he refused to receive the same, the authorities of the respondent-Corporation pasted the same on the house of the 3rd respondent. Thereafter, the authorities of the respondent-Corporation demolished and removed the unauthorized constructions. The reply is filed by the petitioner stating that the constructions were not removed completely, except some portions. It is to be seen that the petitioner has filed R.C.No.11 of 2009 before the XVI Junior Civil Judge, Miyapur for eviction of the 3rd respondent and O.S.No.53 of 2010 before Junior Civil Judge, Kukatpally, Miyapur for injunction against the 3rd respondent for making illegal constructions and these civil suits are pending and which are disputed questions of fact. The fact remains that the representations of the petitioner have been considered and the respondent-Corporation state that the constructions have been removed. More so, civil litigations are pending between the petitioner and the 3rd respondent.

In view of the same, the petitioner has to work out further remedies in the said suits. This Court cannot go into disputed questions of fact that too in the Contempt Case.

With the above observations, the Contempt Case is disposed of. As a sequel thereto, miscellaneous petitions, if any, pending in this Contempt Case shall stand closed.

A.RAJASHEKER REDDY,J

28-08-2015
Nvl

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITON No.17618 of 2014

Date: 02.07.2014

Nvl