

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

CONTEMPT CASE No. 2264 of 2014

ORDER:

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The present Contempt Case came to be filed to punish the respondents for violation of the interim order dated 20.07.2012 passed in W.P.M.P.No.28303 of 2012 in W.P.No.22077 of 2012, wherein this Court held as under:

“The petitioners purchased an extent of Ac.4.00 of land in different sub-numbers of Survey No.951 of Kanapuru Village Bit-I, Venkatachalam Mandal, Nellore District, after the Tahsildar-3rd respondent, issued a certificate on 29.01.2009 stating that the land is not part of any assigned or Government Land. The petitioners contend that respondents 1 to 3 have transferred that very land in favour of the 4th respondent. Hence, it is directed that in case the land purchased by the petitioners forms part of any one of the survey numbers mentioned in the certificate, dated 29.01.2009, there shall be interim direction as prayed for.”

A counter came to be filed by the respondent-Tahsildar stating that the land which is subject matter of the writ petition has been classified as Cattle stand poramboke vested with the Government and the said land was handed over to the fourth respondent ie. Indian Institute of Tourism and Travel Management, Nellore for setting up South Center of Indian Institute of Tourism and Travel Management at Nellore, on 21.11.2008. At the time of handing over possession, the land was lying waste on ground and there were no trace of cultivation.

It is to be noted that the petitioner has not made the fourth respondent to whom the land has been handed over as a party to this contempt proceedings. Further, no documentary evidence has been placed on record to show that the respondent and his staff have interfered with the property alleged to have been in possession of the petitioner. In fact, in para No.8 of the counter, the Tahsildar, has specifically denied the intervention. Since the land has already been handed over to the fourth respondent in W.P.No.22077 of 2012 and having regard to the averments made in the counter, this Court is of the opinion that there are no merits in the contempt case and the same is liable to be

dismissed.

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

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

JUSTICE C. PRAVEEN KUMAR

23.12.2015

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