

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

Contempt Case No.608 of 2016

Dated 03rd June, 2016

Between:

Syed Khazam Hussain

...Petitioner

And

Sri M.Raghunandan Rao and others

...Respondents

Counsel for the petitioner: Sri Mohd.Moin Ahmed Quadri

Counsel for respondent Nos.1 & 2: GP for Revenue (Assignment)

Counsel for respondent No.3: Sri Sampath Prabhakar Reddy

The Court made the following:

ORDER:

This contempt case is filed alleging wilful disobedience of order, dated 13.12.2013, in WP.MP.No.22826 of 2013 in WP.No.18668 of 2013.

The aforementioned order reads as under:

“Status quo as on today shall be maintained with respect of the plots of the petitioners in Sy.Nos.32, 33, 34, 35, 36, 37, 38, 39 and 40 of Gachibowli Village, Serilingampally Mandal, Ranga Reddy District. It shall necessarily mean that if the petitioners are not in possession of the plots, they are not entitled to occupy the same. The petitioners shall also not create any third party rights over the plots, if they are in physical possession of the plots as to day.”

Alleging that the said order of this Court has been violated by

the respondents, petitioner No.1 in the writ petition filed this contempt case.

It is evident from para-9 of the affidavit filed in support of the contempt case that far from violating the order of this Court, the respondents have stopped interfering with the alleged possession of the writ petitioners. It is necessary in this context to refer the relevant part of the said paragraph hereunder:

“It is respectfully submitted that thereafter, due to the above orders, the official respondents did not turn back or interfered with the possession of the members of the association, but some third parties started construction work illegally. So, on 12.08.2014, a representation was made to the respondent herein to stop illegal and unauthorised construction under Sy.Nos.32, 33, 34, 35, 36, 37, 38, 39 and 40 of Gachibowli Village, Serilingampally Mandal, Ranga Reddy District.”

From the above re-produced averments of the petitioner, it is clear that the respondents have not violated the interim order of this Court in any manner. If the third parties have been interfering with the petitioner's alleged possession, the respondents cannot be hauled up for contempt. In this view of the matter, I do not find any merit in the contempt case and the same is accordingly dismissed.

C.V.NAGARJUNA REDDY, J

03rd June, 2016
VGB