

THE HON' BLE SRI JUSTICE M. SEETHARAMA MURTI

Contempt Case No.965 of 2016

ORDER:

This contempt case was filed alleging wilful disobedience to the order dated 21.08.2015 passed by this Court in SAMP.No.1039 of 2015 in SAMP.No.764 of 2015 in SA.No.284 of 2015.

The learned counsel for the petitioner, drawing the attention of this Court to the contents of the reply affidavit to the effect that after filing of the above contempt case, the 2nd respondent after receiving the notice in the above contempt case has issued no objection certificate for installation of electricity transformer in his land and that pursuant to the said no objection certificate, the petitioner had obtained electricity transformer and the same has been installed in his land and that he is now able to cultivate the schedule land without interference of the respondents and that the 2nd respondent had also issued corrected pattadar passbook in his favour in respect of the land in an extent of Ac.1.40 cents in Sy.no.26/ 1 and Ac.1.28 cents in Sy.no.27/ 5 vide proceedings dated 24.06.2016 and that the land in an extent of Ac.1.28 cents was further sub-divided showing the same in Sy.no.27/ 5, would submit that recording the said submissions in the reply affidavit the contempt case may be closed.

However, the learned Government Pleader represents that the contempt case is itself not maintainable and that certain allegations that were made in the notice issued prior to the filing of this contempt case and also in the contempt proceedings are false and that the same are in the nature of attributing *mala fides* to the responsible Government officers and that therefore, the conduct of the petitioner has to be taken into consideration.

This Court is not inclined to consider the said submission as the respondents, if they are aggrieved of any allegations made, are always having liberty to take appropriate action in accordance with law before an appropriate forum and it is not for this Court to enlarge the jurisdiction in this contempt case and deal with the matters which are extraneous.

Recording the afore-said submissions in the reply affidavit, the Contempt Case is accordingly closed. No order as to costs.

M. SEETHARAMA MURTI, J

02.09.2016
Vjl

