

HONOURABLE SRI JUSTICE P.NAVEEN RAO

CONTEMPT CASE NO.2242 of 2015

Date: 18.02.2016

Between :

Pasumarthi Ramanatham, S/o late Venkata Ratnam,
Aged about 49 years, R/o Valaparla Village,
D.No.8-179, Marthur Mandal, Prakasam District.

.... Petitioner

And

Burga Veeraiah, S/o Burga Pedda Veeraiah,
Sarpanch, Valaparla Gram Panchayat, Valaparla,
Prakasham District and two others.

.... Respondents

This Court made the following :

HONOURABLE SRI JUSTICE P.NAVEEN RAO

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CONTEMPT CASE NO.2242 of 2015

ORDER :

This contempt case is filed alleging that direction issued by this Court in W.P.M.P.No.40222 of 2015 in W.P.No.31110 of 2015 dated 23.09.2015 is not complied with.

2. On 23.09.2015 this Court passed the following order in the above Miscellaneous Petition:

“The respondents 3 and 4 are directed to ensure that no construction takes place in the property adjoining the petitioner’s house bearing No.8-46, Sri Venugopala Swamyvari Street, Valaparla, Prakasam District, by the 5th respondent, if no building permission is granted.”

3. The party-respondent (3^rd respondent herein) filed counter affidavit and enclosed the approved building plan granted to him by the Gram Panchayat on 10.09.2015 and contends that the construction is taking place in accordance with the sanctioned plan and, therefore, the order of the Court is not violated.

4. In the counter affidavit filed by the 4th respondent in the writ petition, it is stated that Smt Arvapalli Suseela, wife of Narasimham submitted application on 25.08.2015 and accordingly, Gram Panchayat issued sanctioned plan on 10.09.2015 for construction of the ground floor.

5. In view of the fact that building plan is already sanctioned even before the order passed by this Court, it cannot be said that respondents have violated the orders of this Court warranting initiation of the proceedings under the Contempt of Courts Act. The Contempt Case is closed. It is open to the petitioner to avail appropriate remedies as available in law if he is aggrieved by the building plan

sanctioned in favour of the 5th respondent in the writ petition.

Miscellaneous petitions if any pending in this contempt case shall stand closed. No costs.

JUSTICE P.NAVEEN RAO

Date: 18.02.2016
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HONOURABLE SRI JUSTICE P.NAVEEN RAO

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CONTEMPT CASE NO. 2242 2015

Date: 18.02.2016

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