

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

CONTEMPT CASE No.1178 OF 2016

ORDER:

This Contempt Case is filed alleging non compliance of the order dated 03.06.2016, passed by this Court in W.P.No.17092 of 2016. The order reads as under:

“In these circumstances, there shall be an interim direction to the respondents-authorities as well as Mr. Prasad-Supervisor to conduct auction in a fair and transparent manner to ensure maximum revenue for the lands that are put to auction. It is needless to mention that proceeds of the auction shall be deposited to the account of the Temple.”

It is the contention of the learned counsel for the petitioner that this Court directed the official respondents to conduct the auction and even as per the counter filed by the 4th respondent, the Grade-I Executive Officer who had enclosed the communication addressed to the Assistant Commissioner on 10.06.2016, stated that the founder family member had conducted the auction. Learned counsel would also point out that as against the previous Maktha of Rs.24,000/- with respect to Ac.3.5 cents of wet land, the present Maktha is Rs.25,700/- and with respect to Ac.0.50 cents of land, as against Rs.7,200/-, only Rs.5,700/- has been shown as Maktha. Learned counsel would also submit that the Maktha which has been obtained in public auction is a make-belief effort, as there is a marginal increase, whereas this Court directed to ensure obtaining of maximum Maktha for the temple. Thus, he says that there is a violation on the part of the respondent-

authorities in conducting the auction and there is no strict adherence to the orders of this Court.

On the other hand, learned counsel appearing for the 4th respondent submits that in the very communication dated 10.06.2016, it was set out that there were four persons who had participated in the auction within the available members and the amount which has been fetched was recorded and the allegations of the petitioner that the amount has not been deposited in the accounts of the temple also is not correct. Even prior to the filing of the writ petition, there is a temple account and the money has been deposited into the temple account itself and therefore, there is no violation on the part of the respondent-authorities.

Having considered the respective submissions, the order dated 03.06.2016, passed by this Court is made in the context of the petitioner seeking the stay of all further proceedings pursuant to the auction notification dated 24.05.2016. Considering the allegations which are specifically made against the 5th respondent as party respondent, this Court, while not desiring to stall the auction of the agricultural lands on account of the tenure of the lease having expired earlier to ensure the revenue and also to allay the fears of the petitioner, had directed the respondent-authorities as well as the 5th respondent therein to conduct the auction in a fair and transparent manner to ensure maximum revenue for the lands that are put to auction and the amounts which are fetched in the auction shall be deposited to the account of the Temple. There is no material that has been brought before this Court for the purpose of coming to a conclusion that there is any deliberate attempt on the part of the respondent-authorities in not adhering

to the orders of this Court. What all the amount which would have been fetched in an auction would depend on the guess work and there being no other material before this Court, I do not see any reasons to keep the contempt case pending.

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

CHALLA KODANDA RAM,J

Date:06.12.2016.
Gk



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