

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

CONTEMPT CASE No.1309 of 2015

ORDER:

This contempt case is filed alleging non-implementation of the order in W.P.No.745 of 2008, dated 04.08.2014. The said writ petition was filed challenging the action of respondents 1 and 2 in not cancelling regularization orders issued in favour of the 4th respondent, which was obtained by playing fraud in respect of the structures in stilt floor of Lakshmi Arcade, bearing Municipal No.2-2-647/77/F, situated at Srinivasa Nagar Colony, Bagh Amberpet, Hyderabad. The said writ petition was disposed along with another writ petition filed by the 4th respondent, wherein petitioner was not arrayed as a party. This Court disposed of both the petitions with the following observations:

“6. This writ petition can be disposed of without considering the averments made by the learned counsel for the petitioner only on the ground that the impugned proceedings were issued to the Builder and not to the petitioner. If the 1st respondent wanted to take any action, it has to issue proper notice to the petitioner by granting time to offer her explanation and thereafter only, the 1st respondent should pass appropriate orders in accordance with law. But in the instant case, as already stated that the impugned proceedings were issued to the builder of the premises with a copy to the persons, who submitted representation dated 05.08.2001.

7. In the circumstances, W.P.No.14997 of 2008 is allowed by setting aside the impugned letter No.647/77/F/2/2/08 dated 10.07.2008 by giving liberty to the 1st respondent to issue a show cause notice to the petitioner and after receiving explanation from the petitioner to take appropriate action and pass appropriate orders against the flat owned by the petitioner in Lakshmi Arcade, H.No.2-2-647/77/F, Srinivasa Nagar Colony, Amberpet, Hyderabad. The 1st respondent is given one month time from the date of receipt of a copy of this order, to issue show a cause notice to the petitioner and two months is given to the petitioner to submit her explanation and after receipt of the explanation, the 1st respondent shall pass appropriate orders, within one month thereafter. It is needless to state that the 1st respondent shall follow the due procedure laid in the GHMC Act and the Government orders in vogue while passing final order.”

2. Now the learned Standing Counsel appearing for

respondent Municipal Corporation submits that in pursuant to the order passed by this Court, they issued a show cause notice and after receiving the explanation, they passed orders also. Challenging the said orders, 4th respondent in W.P.No.745 of 2008 filed W.P.No.16466 of 2015 and the Court granted interim order. The respondents have taken steps for vacating the said interim order and no orders have been passed therein. He also submits that the application for regularization of the structures was also considered and rejected.

3. In that view of the matter, no orders need be passed in present contempt case and the Contempt Case is closed. There shall be order as to costs. Miscellaneous petitions, if any, pending in these revision petitions shall stand closed.

(A.RAMALINGESWARA RAO)

Date: 4th March, 2016

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THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

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