

**THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN**

**CONTEMPT CASE NO.2250 OF 2013**

**ORDER:**

\_\_\_\_\_ The order, violation of which is alleged in the present Contempt Case, is the order passed in W.P.No.11125 of 2013 dated 16.04.2013. By the said order, the respondents were directed not to interfere with the petitioner's possession over the subject land. In the affidavit filed in support of the Writ Petition, the petitioner submits that, pursuant to the representation submitted by one Sri Ashok, the Mandal Revenue Officer had issued notices to both the parties, recorded their statements, and had finally passed orders in proceedings dated 28.07.2007 holding that the petitioner's father was granted Laoni patta in the year 1961; the respondents were taking steps to divide the said land into house site plots for assigning the same to the poor; and the action of the respondents, in interfering with his peaceful possession and enjoyment of the property, was arbitrary and illegal.

\_\_\_\_\_ In the counter affidavit filed by the Tahsildar on 04.02.2016, it is stated that he had joined as Tahsildar on 01.12.2012 and continued in that position till 21.12.2013; during the period he worked as Tahsildar, he never interfered with the possession of the petitioner's assigned land; after 21.12.2013 he was transferred to Adilabad Collectorate, and is presently working as a Tahsildar thereat; during the period, when he was the Tahsildar, there was no proposal to take over the land in their possession; and neither he, nor the first respondent, interfered with the petitioner's possession of the subject land.

\_\_\_\_\_ It is evident, from the counter affidavit, that the respondents have not interfered with the subject lands. While the Tahsildar states that he was transferred on 21.12.2013, it is not even the petitioner's case that the alleged violation took place thereafter, nor could it have been so contended, as the Contempt Case itself was filed earlier on 18.12.2013.

\_\_\_\_\_ In view of the specific averments in the counter affidavit, that the respondents were not interfering with those who were in possession of the lands, they cannot be said to have violated the orders of this Court,

much less wilfully and deliberately. I see no reason, therefore, to  
proceed against the respondents under the Contempt of Courts Act,  
1971.

The Contempt Case is, accordingly, closed.

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**(RAMESH RANGANATHAN, J)**

19<sup>th</sup> February 2016

RRB