

THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

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CONTEMPT CASE No.1259 of 2013

ORDER:

The order, violation of which is alleged in this Contempt Case, is the order passed in W.V.M.P.No.1374 of 2013 in W.P.M.P.No.12257 of 2013 in W.P.No.9836 of 2013 dated 04.06.2013 whereby the proceedings issued by the fourth respondent in February, 2013 was suspended on the ground that Environmental Clearance from the Ministry of Environment and Forest, before excavating/removing sand, was not obtained.

In the counter-affidavit filed by the first respondent, it is stated that the third respondent had submitted a report to the second respondent on 16.07.2013 stating he had personally inspected the quarrying area along with the Mandal Surveyor, and he noticed that one meter depth was not exceeded; the fifth respondent had already stopped de-casting of sand on 31.03.2013; while transit permits were issued, for the period from 01.07.2013 to 07.07.2013, for transportation of the sand available in the stockyard, transportation of sand from the stockyard was stopped by the fifth respondent on 06.07.2013 itself, after filing of the present Contempt Case. The first respondent has also expressed regret, and has tendered his unconditional apology.

As the order of this Court, violation of which is alleged in the present Contempt Case, has been complied with and transportation of sand from the stockyard was stopped by the fifth respondent on 06.07.2013 itself and, even prior thereto quarrying operations and de-casting of sand was stopped on 31.03.2013, I see no reason to proceed against the respondents under the Contempt of Courts Act, 1971, as the respondents cannot be said to have violated the order of this Court much less wilfully and deliberately.

The Contempt Case is, accordingly, closed. Miscellaneous petitions pending, if any, shall also stand closed. There shall be no order as to costs.

RAMESH RANGANATHAN, J

29th January, 2016.

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