

HON'BLE SRI JUSTICE P.NAVEEN RAO

CONTEMPT CASE No.2516 of 2015

DATED : 04.08.2016

Between:

M.D.Mohamood S/o.Galib,
Aged 40 yrs, Occu : Employee in S.C.Company,
R/o.H.No.2-5-22, Ambazar,
Yellandu Town and mandal,
Khammam District & another

.. Petitioners

AND

Mr. Anjan Kumar,
The Municipal Commissioner,
Yellandu Town,
Khammam District.

.. Respondent

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The Court made the following:

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HON'BLE SRI JUSTICE P.NAVEEN RAO

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CONTEMPT CASE No.2516 of 2015

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ORDER:

This Court on 29.10.2015 in W.P.M.P.No.45407 of 2015 in W.P.No.35351 of 2015 passed the following order :

“Without insisting for obtaining of No Objection Certificate from the revenue authorities as indicated in the proceedings impugned in the writ petition, the building permission application submitted by the petitioners shall be processed subject to fulfillment of all other requirements.”

2. Alleging that the said order is not complied and building permission is not granted, this contempt case is filed.

3. In the counter affidavit filed on behalf of the respondent, deposed by V. Anjan Kumar, the incumbent Commissioner specifically averred in Para No.4, that the respondent is not insisting for submission of No Objection Certificate from the revenue authorities. The counter also goes to say that the petitioner has not submitted relevant and valid documents for grant of building permission.

4. Hence, I am not inclined to go into other issues of why building permission was not granted. It is suffice to note that according to the respondent, he is not insisting for No Objection Certificate as condition precedent for processing of building permission application submitted by the petitioner. Therefore, it cannot be said that the respondent has committed contempt of the order of this Court, warranting initiation of further action under the Contempt of Courts Act.

5. Accordingly, the contempt case is closed. However, it is open to the petitioners to work out their remedies as available in law. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this contempt case shall stand closed.

P.NAVEEN RAO,J

4th August, 2016

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