

HONOURABLE SRI JUSTICE A.RAMALINGESWARA RAO

CONTEMPT CASE No.248 of 2016

ORDER:

1. This Contempt Case is filed alleging non-implementation of the order passed by this Court in W.P.No.26552 of 2009 dated 20.08.2014.

2. The aforesaid Writ Petition was disposed of along with two other W.P.Nos.28037 of 2009 and 12611 of 2010 by a common order on 20.08.2014. In the said Writ Petition, the petitioner alleged inaction on the part of respondents 1 to 3 therein in not taking any steps for removing the shutters of the fourth respondent and for consequential demolition. While disposing of the said Writ Petitions, this Court noticed that the construction was made after obtaining a valid permit from the Municipal Corporation and that there cannot be any grievance for the petitioner in W.P.No.26552 of 2009 with regard to the usage of the building in view of G.O.Ms.No.766 dated 18.10.2007. However, this Court directed the Municipal Corporation to issue a notice to the petitioner in W.P.No.12611 of 2010 for payment of the ascertained sum of money for utilization of the building for commercial purpose and liberty was given to the petitioner in W.P.No.26552 of 2009 to agitate his rights in the pending civil suits between him and the petitioner in W.P.No.12611 of 2010.

3. In view of the pendency of the Civil Suits and in the absence of any direction in favour of the petitioner, this Contempt Case cannot be entertained and is liable to be dismissed.

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

5. Miscellaneous petitions, if any, pending shall stand closed.

A.RAMALINGESWARA RAO, J

19-02-2016

Gsn