

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

AND

THE HON'BLE SRI JUSTICE G.SHYAM PRASAD

CONTEMPT CASE No.224 of 2016

30.09.2016

Between:

T.Satyavani

..Petitioner

And

P.Radhakrishna and others

..Respondents

Counsel for the petitioner: Mr.P.Bhaskar

Counsel for the respondents: --

The Court made the following:



ORDER:

This contempt case is filed alleging willful disobedience of the order, dated 16.12.2015, in C.C.C.A.M.P.Nos.483 and 606 of 2015 in C.C.C.A.No.135 of 2015.

2. In the first place, a single contempt case alleging willful disobedience of the orders in two separate C.C.C.A.M.Ps. is not maintainable. Secondly, in para 4 of the affidavit filed in support of the contempt case, it is averred that it is understood that the respondents after demolishing the property is creating third party encumbrances. In our opinion, the allegation made in equivocal term cannot constitute a basis for punishing the respondents for contempt, which is quasi criminal in nature. Moreover, the petitioner has not even issued a legal notice to the respondents pointing out that they are indulging in violation of the orders of this Court and calling upon them to refrain from indulging in such violation, which in our opinion is a *sine qua non* for initiating contempt proceedings.

3. For the aforementioned reasons, the Contempt Case is dismissed, however, with liberty to the petitioner to avail fresh legal remedies after following the aforementioned procedure.

C.V.NAGARJUNA REDDY, J

G.SHYAM PRASAD, J

30th September, 2016
GHN