

THE HON'BLE SRI JUSTICE SANJAY KUMAR
AND
THE HON'BLE SMT. JUSTICE ANI S

CONTEMPT CASE No.1491 of 2016

ORDER: (Per Hon'ble Sri Justice Sanjay Kumar)

This contempt case was instituted alleging willful disobedience to the order dated 12.04.2012 in W.A.No.462 of 2012. By the said order, a Division Bench of this Court, while holding that there was no error in the view taken by the learned single Judge in W.P.No.22445 of 2008 from which the appeal arose, took note of the fact that the learned counsel for the appellants stated that his clients would be filing an appeal within four weeks and observed as under:

“After an appeal is filed within four weeks from today, the Revenue Divisional Officer will entertain the appeal and dispose it of on merits in accordance with law.”

Pertinent to note, the appeal was to be filed within four weeks but there was no direction to the Revenue Divisional Officer to dispose it of within a timeframe. It is now stated by the learned Government Pleader for Revenue that pursuant to the aforestated order, the Sub Collector, Madanapalle, disposed of the appeal filed by the petitioners by proceedings in Endorsement dated 26.08.2016.

In the light of the aforestated development, we are of the opinion that no cause is made out for exercise of contempt jurisdiction. In the event the petitioners are aggrieved by the dismissal of their appeal, they would necessarily have to take recourse to appropriate remedies available to them in law and the validity of the said dismissal cannot be examined in these contempt proceedings.

Reserving liberty to the petitioners to do so, this contempt case is dismissed. No order as to costs.

SANJAY KUMAR, J

ANI S, J

21st November, 2016
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