

THE HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN
AND
THE HON'BLE SRI JUSTICE M. SATYANARAYANA MURTHY

Contempt Case No.721 OF 2014

ORDER: (Per the Hon'ble The Acting Chief Justice Ramesh Ranganathan)

The writ petitioners, admittedly, filed L.G.C. No. 117 of 1995 against the Government. It is only if the lands belonging to the petitioners are grabbed by the respondents, can an application be made under the L.G.C. Act. The filing of such an application by the petitioners herein pre-supposes that the subject land is in the possession of the respondents, albeit illegally.

In the present case, an issue was framed in the L.G.C., whether the Government was a land grabber, and the issue was held against the petitioners and in favour of the Government. Consequently, in terms of the order of the Land Grabbing Tribunal, the Government is not a land grabber.

The interim order, violation of which is alleged in the contempt case, merely required dispossession of the petitioners to remain stayed. It is only if the petitioners were in possession of the subject land, would the question of their being dispossessed therefrom arise. The petitioners themselves, by filing an L.G.C., have accepted that the subject lands are in the possession of the Government. The order, violation of which is alleged in the contempt case, cannot be construed as requiring the Government to put the petitioners in possession of the land, in their possession even before the L.G.C. was filed, pending disposal of the writ petition.

We see no reason, therefore, to proceed against the respondents under the Contempt of Courts Act. The contempt case is mis-conceived and is, accordingly, dismissed. There shall be no order as to costs.

(RAMESH RANGANATHAN, ACJ)

(M. SATYANARAYANA MURTHY, J)

4th November, 2016

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