

THE HON'BLE SRI JUSTICE M.S.RAMACHANDRA RAO

CONTEMPT CASE No.1410 of 2016

O R D E R:

This Contempt Case is filed alleging wilful disobedience of the order dt.28.04.2016 in W.P.No.2325 of 2016.

2. Heard counsel for the petitioner and the Government Pleader for Revenue appearing for respondent.

3. Petitioner had filed Writ Petition No.2325 of 2016 questioning an order dt.11.09.2015 passed by the 2nd respondent refusing to register the documents presented by the petitioner without assigning any reasons.

4. This Court imposed costs of Rs.2,000/- on the 2nd respondent and asked him to pass a fresh order giving reasons within a period of three (03) weeks.

5. The 2nd respondent not only did not pay the petitioner a sum of Rs.2,000/- as directed to be paid within two weeks from the date of receipt of a copy of the order in the Writ Petition, but he passed a fresh order stating that the petitioner did not approach his office for reconsideration of his claim for registration of the subject documents and he has also not requested to take back his documents. It is stated that the respondent was under the impression that the petitioner would approach the concerned authority for reconsideration of the documents once again, and since the petitioner filed Contempt

Case, the request of registration was reconsidered and once again refused.

6. In the counter affidavit filed by the respondents there is no whisper about the payment of Rs.2,000/- costs imposed by the Court or the reason for non-payment of the said amount. There is also no explanation why in the fresh order passed on 02.08.2016, the respondent has blamed the petitioner for his(respondent's) failure in passing a fresh order with reasons.

7. Today the Government Pleader for Revenue has produced a DD for a sum of Rs.2,000/- obtained on 03.11.2016 stating that the petitioner was not available for payment of costs, that the copy of the order passed in Writ Petition on 28.04.2016 became available only in the month of June, 2016 and there was delay in communicating the said order to the respondent.

8. The Contempt Case had already been admitted on 21.10.2016.

9. I am of the opinion that the conduct of the respondent in not making payment of costs within two (02) weeks from the date of receipt of a copy of this order and producing the Demand Draft six months after the order has been passed and at least two to three months after the copy of the order has been received and not passing a fresh order giving reasons and refusing to register on the ground that petitioner had filed a Contempt Case shows adamant attitude of the respondent.

10. Therefore, I find that the respondent had committed wilful disobedience of the order passed by this Court on 28.04.2016 in W.P.No.2325 of 2016.

11. Accordingly, the Contempt Case is allowed and the respondent is directed to pay a fine of Rs.1,500/-.

12. Consequently, miscellaneous petitions pending, if any, shall stand closed.

M.S.RAMACHANDRA RAO, J

18th November, 2016.
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