

**THE HON'BLE SRI JUSTICE SANJAY KUMAR  
AND  
THE HON'BLE SRI JUSTICE U.DURGA PRASAD RAO**

**CONTEMPT CASE NO.2377 OF 2016**

**O R D E R**

***(Per Hon'ble Sri Justice Sanjay Kumar)***

This Contempt Case was instituted alleging willful disobedience to the order dated 17.11.2014 passed by this Court in Public Interest Litigation No.277 of 2014. By the said order, this Court took note of the fact that a notice had already been issued to the owners for closing illegal bore wells and accordingly directed the authorities to see that the action reached its logical conclusion. This Court further observed that this action must be completed in accordance with law within a period of eight weeks from the date of communication of the order.

It is an admitted fact that pursuant to this order, the Tahsildar, Venkatagiri Mandal, issued proceedings dated 20.01.2015, after hearing the bore well owners and upon considering the report of the Assistant Executive Engineer, Rural Water Supply, Venkatagiri.

Sri Syed Khader Mastan, learned counsel for the petitioner, would contend that though an order has been passed pursuant to the direction of this Court, it would still amount to committing contempt as the Tahsildar, Venkatagiri Mandal, held in favour of the bore well owners.

We are of the opinion that once the direction of this Court to complete the exercise has been duly complied with, the merit of such consequential proceedings cannot be gone into in contempt proceedings. It may be noted that this Court did not make any

observations on the merits of the matter and only directed the respondent authorities to conclude the action within a time frame. That, having been done, we find no cause to exercise contempt jurisdiction. The subsequent proceedings dated 20.01.2015 give rise to a fresh cause of action in the event the petitioner is aggrieved thereby.

Leaving it open to the petitioner to seek redressal of such grievance, if any, by way of independent proceedings in accordance with law, this Contempt Case is dismissed. No order as to costs.



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**SANJAY KUMAR, J**

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**U.DURGA PRASAD RAO, J****27<sup>th</sup> DECEMBER, 2016**

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