

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

CONTEMPT CASE No.716 of 2016

Dated : 08.07.2016

Between:

Musham Chander S/o.Shekaraiah,
Aged 44 yrs, Occu : Business,
R/o.H.No.13-53, Huzurabad,
Huzurabad Mandal, Karimnagar District.

.. Petitioner

And

Veldandi Sammaiah,
S/o.not known to the petitioner,
Aged Major, Huzurabad, Huzurabad Mandal,
Karimnagar District, Telangana State

.. Respondent

This Court made the following :

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

CONTEMPT CASE No.716 of 2016

ORDER :

This contempt case is filed by the petitioner to punish the respondent for willfully violating the order dated 10.08.2015 passed by this Court in W.P.No.24927 of 2015.

The Writ petition was disposed of as under :

“Having regard to the respective submissions made, the writ petition is disposed of, directing the respondent authorities, not to interfere with the construction activity of the petitioner consequent to the building permission granted on 22.03.2014, if the said building permission is not rescinded and shall ensure that the petitioner is not deviating from the sanctioned plan. There shall be no order as to costs.”

Alleging that the said order is violated and the respondent is interfering with the construction of building activity, this contempt is filed.

On the Last occasion there was no representation on behalf of the petitioner and to give one more chance, the matter is listed today.

In Para No.3 of the counter affidavit, it is deposed that alleging unauthorized and illegal constructions being made by the petitioner, certain complaints were received and in order to verify the genuineness of the complaints, being a scrutiny and inspecting officer, the site was inspected by the respondent and his subordinates. At no point of time, the respondent has interfered with the construction by violating the order of this Court.

Having regard to the above, I am satisfied that the order passed by this Court is not violated. Merely because the officer inspects the premises, it does not amount to interfering with the construction activity. Moreover, this Court directed the respondent to ensure that the petitioner does not deviate from the sanctioned plan and for this purpose, it is permissible for the concerned Officer of the Municipality to inspect the site. Hence, I find no merit in the allegation of violation of the orders of this Court.

Accordingly, the Contempt Case is closed. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this contempt case shall stand closed.

8th July, 2016.

P.NAVEEN RAO,J

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