

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

CONTEMPT CASE No.1609 of 2015

Dated : 17.06.2016

Between:

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Narne Srinivasa Rao S/o.Venkateswarlu,
Aged about 40 yrs, Occu : Ex-Serviceman,
R/o.Ommevaram Village, Naguluppalapadu Mandal,
Prakasam District.

.. Petitioner

And

Smt Sujatha Sharma, District Collector,
Prakasam District at Ongole & 2 others.

.. Respondents

This Court made the following :

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

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CONTEMPT CASE No.1609 of 2015

ORDER :

In W.P.M.P.No.20141 of 2015 in W.P.No.15466 of 2015 this Court passed the following order :

“Though temporary patta was granted on 13.04.2006 to the petitioner as an Ex-Service man to an extent of Ac.3.60 cents in Survey No.456 of Uppugunduru Village and the report of the Tahsildar, Naguluppalapadu, Prakasam District, dated 04.06.2015 would disclose that there was an understanding that the villagers would not interfere in enjoying the land temporarily assigned to the petitioner, the photographs filed along with the writ petition, would disclose that illegally some persons are digging and taking away the soil and altering the status of the land.

Having regard to the same, there shall be interim direction, as prayed for.”

Complaining that the said order is not complied and the respondents have allowed digging and taking away the soil in the land allotted to the petitioner, this contempt is filed.

In para No.6 of the counter filed by the 2nd respondent, the 2nd respondent submits that the order passed by this Court is received by him on 15.06.2015 and thereafter he has taken steps to stop the illegal digging and taking away the soil. He further submits that when he received a phone call on 25.06.2016 about digging of soil he rushed to the spot accompanied by the Mandal Surveyor and concerned Village Revenue Officer and stopped illegal digging on 25.06.2015 itself. On 26.06.2015 a notice board was erected warning others not to undertake digging in the subject land in view of the orders of this Court.

Though in the reply filed by the petitioner vague averment is made of not taking steps to comply with the order, no material is brought on record to show that after 15.06.2015 also digging was taken up and even though the respondents had the knowledge of such digging they did not stop.

In view of the categorical assertion of 2nd respondent in the counter, I see no reason to keep the proceedings pending.

Hence, 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.

P.NAVEEN RAO,J

17th June, 2016.

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