

THE HON'BLE SRI JUSTICE C.V. NAGARJUNA REDDY

CONTEMPT CASE NO.753 OF 2016

DATED:03-06-2016

Between:

N. Venkatesh ... Petitioner

And

M. Janardhan Reddy ... Respondent

... Respondents

COUNSEL FOR THE PETITIONER: Mr. Manda Venkateswara Rao

COUNSEL FOR THE RESPONDENT: None appeared

THE COURT MADE THE FOLLOWING:

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ORDER:

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This contempt case is filed alleging wilful disobedience of order dt.08.2.2016 in Writ Petition No.3643 of 2016.

The petitioner herein has filed the above mentioned writ petition with the grievance that Tiruchanur Gram Panchayat is illegally interfering with his possession of Ac.1.00 of land in Sy. No.437/5 situated at Tiruchanur Village. At the hearing of the writ petition, the learned Standing Counsel for the Panchayat Raj institutions (AP) on instructions from the Gram Panchayat submitted that as the petitioner is in unauthorized possession of the property which is inam land and as he is trying to raise a compound wall without permission, the officials of the Gram Panchayat have requested him to stop construction. As the counsel has conceded that no notice was issued to the petitioner, this Court disposed of the writ petition with the observation that if the petitioner is raising compound wall without permission, the Gram Panchayat is entitled to prevent him from doing so only by issuing a notice and following the procedure prescribed by the extant statutory provisions.

The grievance of the petitioner in the present contempt case is that though a third party has raised a compound wall over the above mentioned land, the respondent has not been removing the same. In my opinion, this grievance of the petitioner does not fall within the scope of either the writ petition or the contempt case. In the context of the grievance raised by the petitioner that the Gram Panchayat was interfering with his possession, this Court has restrained it from removing the compound wall being allegedly raised by the petitioner without following due procedure of law. No direction was issued to the Gram Panchayat to remove the compound wall, if any, raised by third

parties. If the petitioner has any grievance against third parties, he shall be free to avail appropriate remedies available to him under law.

For the above mentioned reasons, the contempt case is dismissed.

C.V. NAGARJUNA REDDY, J

03-06-2016

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