

**HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY
AND**

HON'BLE SRI JUSTICE M.S.K.JAISWAL

WRIT PETITION No. 9829 OF 2016

Date: 31.03.2016

Between:

D. Subba Rao,
East Godavari District.

..... Petitioner

And:

The State of Andhra Pradesh,
Rep. by its Principal Secretary,
Department of Revenue,
(V.Os Section), Secretariat Buildings,
Hyderabad, and others.

.....Respondents

Counsel for the Petitioner: Sri Raghu Mannepally for Sri P.V. Rao

Counsel for Respondents: G.P for Services (AP)

The Court made the following:

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ORDER *(Per the Hon'ble Sri Justice C.V.Nagarjuna Reddy)*

This writ petition is filed for a certiorari to quash order dated 11.12.2015 in C.A.No.551 of 2013 in O.A.No.6227 of 2012 on the file of the Andhra Pradesh Administrative Tribunal at Hyderabad (for short 'the Tribunal').

The petitioner filed O.A.No.6227 of 2012 before the Tribunal for declaring the action of the respondents in not fixing the pay of the petitioner, as illegal and arbitrary and for a consequential direction to them to fix the pay and consider the case of the petitioner's son for compassionate appointment as Village Revenue Officer by relaxing the Voluntary Retirement Rules. By order dated 06.08.2012, the Tribunal disposed of the said O.A directing the respondents to examine the representation dated 13.07.2012 of the petitioner and pass appropriate orders within six weeks from the date of receipt of a copy of the order. In pursuance of the said order, the respondents have passed a speaking order on 14.04.2014 rejecting the request of the petitioner and the said order was communicated to him. Alleging that the respondents have wilfully violated order dated 06.08.2012 passed in the O.A, the petitioner filed C.A.No.551 of 2013. By the impugned order, the Tribunal dismissed the Contempt Application by observing that with the passing of the detailed speaking order dated 14.04.2014, the respondents have complied with order dated 06.08.2012, and that if the petitioner feels aggrieved thereby, the only remedy available to him is to file a separate O.A. Not satisfied with this order, the petitioner filed this writ petition.

After hearing Sri Raghu Mannepally, learned counsel representing Sri P.V. Rao, learned counsel for the petitioner, we are of the opinion that the Tribunal has rightly dismissed the Contempt Application. As observed by the Tribunal, with the passing of order dated 14.04.2014, the respondents have complied with order dated 06.08.2012 in the O.A by considering and rejecting the petitioner's representation. Therefore, the respondents have not committed any contempt, as alleged by the petitioner. If the petitioner feels aggrieved

by the said order, he shall be free to avail appropriate remedy available to him in law.

For the abovementioned reasons, we do not find any merit in the writ petition and the same is accordingly dismissed.

As a sequel to the dismissal of the writ petition, W.P.M.P.No.12418 of 2016 shall stand disposed of as infructuous.

C.V.NAGARJUNA REDDY, J

M.S.K.JAISWAL, J

Date: 31.03.2016

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