

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

CONTEMPT CASE No.2284 of 2015

Dated : 07.04.2016

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Between:

Kothapalle Venkataiah S/o.Somaiah,
Age : 58 yrs, R/o.Peddakothapalle village,
Ontimitta Post & Mandal,
Kadapa District & 9 others.

.. Petitioners

And

Sri K.V.Ramana, I.A.S.,
S/o.not known to the petitioner,
Age : Major, District Collector, YSR Kadapa,
YSR Kadapa District & another.

.. Respondents

This Court made the following :

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ORDER :

This contempt case is filed by the petitioners to punish the respondents for their willful disobedience of the orders of this Court in W.P.No.28862 of 2015 dated 08.09.2015.

2. This Court disposed of the above writ petition by order dated 08.09.2015 directing the respondent-authorities to consider the representations of the petitioners dated 06.07.2015 and 03.08.2015 and pass appropriate orders as warranted under law, within a period of four weeks from the date of receipt of copy of this order, after putting on notice the respondents 5 and 6 and after affording due opportunity of hearing and communicate the decision to the petitioners.

3. In the counter affidavit deposed on 16.03.2016, it is averred that final orders are passed by the District Collector on 09.03.2016 after conducting enquiry and after affording due opportunity.

4. In the counter affidavit deposed by 2nd respondent on 30.12.2015 it was stated that as soon as the order of this Court is received, the representations of the petitioners were examined and *prima-facie* found some irregularities in utilization of funds of the Gram Panchayat and by order dated 03.10.2015 the cheque powers of Sarpanch was withdrawn. The Sarpanch was put on notice by show cause notice dated 03.10.2015. It is therefore averred that action was initiated in pursuant to the directions of this Court.

5. In the additional counter affidavit deposed on 16.03.2016, it is averred that due to change in the incumbency in the office of Divisional Panchayat Officer, Kadapa, there was some delay in taking further action. It is further averred that as earlier enquiries were not properly conducted/proper findings were not recorded, further enquiry was ordered and enquiry officer submitted his report on 02.03.2016. Based on the said report orders were passed on 09.03.2016.

6. Having regard to the averments made in the counter affidavit filed on behalf of the respondents, it cannot be said that the respondents have violated the orders of this Court warranting continuation of proceedings under the Contempt of Courts Act.

7. 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.

07th April, 2016.
Rds

P.NAVEEN RAO,J