

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD

**FOR THE STATE OF TELANGANA AND THE STATE OF
ANDHRA PRADESH**

**MONDAY, THE TWENTY FIFTH DAY OF JULY,
TWO THOUSAND AND SIXTEEN**

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Present

HON'BLE SRI JUSTICE P.NAVEEN RAO

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Contempt Case No.233 of 2016

Between:

T. Swarnalatha w/o.L.C.Obuleshu, Aged:58 years, R/o.H.No.80/67-4, Swarna Nilayam, Krishna Nagar, Kurnool and others.

.. Petitioners

AND

E. Gopal Rao, Secretary, Andhra Pradesh Housing Board,
Gruhakalpa Complex, Mukaramjahi Road, Hyderabad.

.. Respondent

The Court made the following:

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THE HON'BLE SRI JUSTICE P.NAVEEN RAO

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Contempt Case No.233 of 2016

ORDER

Petitioners filed WPMP No.49955 of 2014 in W.P.No.39833 of 2014 praying to grant the following relief;

“to direct the first respondent not to interfere with the petitioners’ rights in respect of the petitioners’ property in Sy.No.611 in Kalluru Village, Kurnool District, admeasuring Ac.2.28 cents, pending disposal of the writ petition.”

2. This Court, by order dated 26.12.2014, granted interim direction as prayed for. Alleging violation of the said interim order, this contempt is filed.

3. According to respondent, the respondent-Board acquired land to an extent of Acs.2.72 cents in Sy.No.611/2A under the Land Acquisition Act and the respondent-Board is not interfering with the alleged land owned by the petitioners in Sy.No.611.

4. Learned counsel for the petitioners disputes the submission of the respondent that the respondent-Board, in the guise of stating that there is a separate Sy.No.611/2A, is interfering with the land of the petitioners in Sy.No.611 and therefore, the order of this Court is violated.

5. As seen from the record, notice before admission was ordered and the matter was adjourned to 21.04.2016 for the

purpose of ascertaining the facts by counsel for petitioner with reference to the stand of the respondent. No such instructions are furnished to the counsel even now. Be that as it may, this Court only directed the respondent-Board not to interfere with the alleged possession of land by the petitioners in Sy.No.611 and the respondent categorically stated in his affidavit that they are not interfering with the land in Sy.No.611. Therefore, it cannot be said that the respondent has committed contempt of the order of this Court. If petitioner contradicts the stand of respondent regarding boundaries of different survey numbers, it is a disputed question of fact which can be agitated independently in appropriate proceedings.

6. The Contempt Case is, accordingly, closed. Miscellaneous petitions, if any, pending in this writ petition shall stand dismissed.

P.NAVEEN RAO, J

25th July, 2016
sj