

*THE HON'BLE SRI JUSTICE SANJAY KUMAR
AND
THE HON'BLE SRI JUSTICE N.BALAYOGI*

CONTEMPT CASE No.1441 of 2017

ORDER: (per SK,J)

This contempt case was instituted alleging wilful disobedience to the order dated 17.04.2017 passed by this Court in W.P.M.P.No.9822 of 2017 in W.P.No.7963 of 2017. By the said order, this Court took note of the fact that the Commissioner and Director of Municipal Administration addressed a letter dated 25.06.2013 to the Commissioner, Sadasivpet Municipality, calling for a detailed report and the same was submitted by the Municipality and directed the authorities to take appropriate action as deemed fit basing on the said report of the Municipality.

It is now brought to our notice that the Municipality's resolution dated 31.01.1989 was suspended by the Commissioner, Sadasivpet Municipality, under proceedings dated 22.11.2013 and the Government of Andhra Pradesh issued Memo dated 14.02.2014 calling upon the Municipality to explain as to why the Resolution dated 31.01.1989 should not be cancelled.

Learned Government Pleader would state that in the light of the suspension of the resolution by the Commissioner of the Municipality, no further action could be taken.

Though Sri S.Jagadish, learned counsel, would challenge the power of the Commissioner of the Municipality to suspend the resolution, we are of the opinion that this issue does not fall for consideration before us in this contempt case. As no disobedience, much less wilful disobedience, is demonstrated before us presently, we find no cause to exercise jurisdiction under the Contempt of Courts Act, 1971.

The contempt case is accordingly dismissed leaving it open to the petitioner to take recourse to appropriate remedies in accordance with law. No order as to costs.

JUSTICE SANJAY KUMAR

JUSTICE N.BALAYOGI

Date:08.09.2017
GJ

