

THE HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN

AND

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

CONTEMPT CASE NO.1873 OF 2016

ORDER: {Per the Hon'ble the Acting Chief Justice Ramesh Ranganathan}

The order, violation of which is alleged in this Contempt Case, was passed by a Division Bench of this Court in WP.No.20740 of 2016 dated 30.06.2016 whereby the submission, made on behalf of the State Government, was recorded. The Division Bench held that the respondents would not compel the petitioners to enter into any agreement for acquisition of their lands for the project; and they would follow the procedure for acquiring their lands as contemplated under the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

While the petitioners claim that they have not consented for their lands being purchased in terms of G.O.Ms.No.190 dated 07.10.2015 and G.O.Ms.No.123 dated 30.07.2015, it is their grievance that the police officials had physically assaulted them for their failure to do so.

The jurisdiction which this Court exercises, under the Contempt of Courts Act, 1971, is limited only to ascertain whether its order has been violated and, if so, whether the violation is wilful and deliberate. The very fact that the petitioners have not parted with their lands, and their lands have not been purchased by the State Government, would show that the order of this Court has not been violated. It would be wholly inappropriate for us, in Contempt Proceedings, to examine whether or not the police

officials had resorted to physical violence against the petitioners. Suffice it to make it clear that we have not examined these contentions as they are beyond the scope of enquiry under the Contempt of Courts Act. Any grievance, which the petitioners may have in this regard, can only be agitated in independent legal proceedings.

The Contempt Case is, accordingly, closed. Miscellaneous applications, if any, pending shall stand closed.

(RAMESH RANGANATHAN, ACJ)

(P.NAVEEN RAO, J)

1st September 2017
RRB

