

HONOURABLE SRI JUSTICE P. NAVEEN RAO

CONTEMPT CASE No. 1509 of 2016

Date :28.7.2017

Between :

Thakur Harinath Singh @ Nagaraju S/o late Devi Singh
53 years
Pangal, Nalgonda
R/o Plot NO. 86 Road No.15
New Gayatrinagar colony,
Jillelaguda, Hyderabad and another

Petitioners

And

Alivelu Mangatayaru W/o B Srinu
44 years
Municipal Commissioner, Nalgonda municipality
Nalgonda and another

Respondents

The Court made the following:



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ORAL ORDER:

Writ Petition No. 22496 of 2015 was disposed of on 21.7.2015 granting liberty to the petitioners to avail the remedy of appeal before the municipal council against granting building permission to respondents 4 to 9 therein. This Court observed that if an appeal is filed, the municipal council should consider the same after putting on notice the persons in whose favour the building permission was granted and to pass appropriate orders. Alleging non compliance of the said directions, this contempt case is filed.

2. In the counter affidavit filed on behalf of respondent, it is averred that no such appeal was filed; entire record was verified in the municipal office and no such appeal was traced, however, having regard to the notice issued in contempt case, notice was caused on petitioners on 29.6.2017 directing them to appear before the municipality on 6.7.2017 with all the relevant records but said notice returned unserved and again municipality sent another notice dated 13.7.2017. It is therefore contended that there is no disobedience of the directions issued by this Court.

3. Matter was earlier adjourned to enable the petitioner to file proof of submission of appeal to the municipal council. In the absence of any proof of filing such appeal, when it is categorically denied by the respondents that no such appeal is filed, it cannot be said that respondent committed contempt of directions issued by this Court.

4. Accordingly, the contempt case is closed. No costs. Having regard to the same, miscellaneous petitions, if any pending, are closed.

P NAVEEN RAO,J

DATE: 28.7.2017
TVK

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