

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

CONTEMPT CASE No.2540 OF 2016

Dated:14.06.2017

Between:

Gurralla Narsinga Rao, S/o.Kistaiah,
Aged 54 years, Occ: Construction
Work, R/o.H.No.8-7-42, R.R. Nagar,
Old Bowenpally, Secunderabad and another .. Petitioners

AND

Mr. B. Ravinder Kumar,
Dy. Commissioner, GHMC,
Circle No.14-B, Kukatpally,
Hyderabad .. Respondent



The Court made the following:

THE HON'BLE SRI JUSTICE P. NAVEEN RAO**CONTEMPT CASE No.2540 OF 2016****ORDER:**

There is no representation for the petitioners.

2. Heard Sri Sampath Prabhakar Reddy, learned Standing Counsel for the Greater Hyderabad Municipal Corporation appearing for the respondent.

3. On 07.12.2016, when W.P.M.P.No.52198 of 2016 in W.P.No.42335 of 2016 was taken up for consideration, learned Standing Counsel for the respondent - Corporation, on instructions, informed the Court that as illegally constructions were being made, notices under Sections 452 (1) and 461 of the Greater Hyderabad Municipal Corporation Act were issued on 04.12.2016 and appropriate action would be taken.

4. Having regard to the said submission, party respondents 3 to 6 were directed not to undertake further construction until further orders.

5. Alleging violation of the said direction and the constructions are being made, this Contempt Case is filed.

6. In the counter affidavit filed on behalf of the respondent - Corporation, it is asserted that the photographs filed by the petitioners belong to Plot Nos.49 Part and 50 Part of Mallikarjuna Colony, Old Bowenpally Village, Balanagar Mandal, Ranga Reddy District, whereas the prayer sought in W.P.M.P.No.52198 of 2016 concerns Plot Nos.36 to 39. According to the respondent -

Corporation, on inspection, the officials of the respondent – Corporation informed that Plot No.36 is an open plot with compound wall. In Plot Nos.37 to 39 old buildings are existing, which were constructed long back, and no new construction in the said plots was noticed. It is, therefore, categorically denied that the illegal constructions are made in Plot Nos.36 to 39 after the interim orders were passed. However, illegal constructions noticed were in Plot Nos.49 Part and 50 Part and the same were also demolished. The photographs in proof of such demolition are enclosed to the counter affidavit.

7. These assertions of the respondent – Corporation are not denied.

8. In view of the categorical statement of the respondent – Corporation, this Court does not find any justification to initiate proceedings of contempt under the Contempt of Courts Act.

9. The Contempt Case is accordingly closed.

Miscellaneous Petitions, if any, pending in this Contempt Case shall stand closed.

P. NAVEEN RAO, J

Date:14.06.2017

KH