

HONOURABLE SRI JUSTICE P. NAVEEN RAO

CONTEMPT CASE No. 1554 of 2016

Date : 20.6.2017

Between :

Gopisetty Venkateswara Rao S/o Late Suryaprakasha Rao
Aged 65 yrs
Occ: Retired Govt Employee
R/o 7-1-14, C/o Venkat Tailors,.
Venkatagiri Gate Road, Khammam

Petitioner

And

Sri D S Lokesh Kumar IAS
District Collector, Khammam and others

Respondents

The Court made the following:



ORAL ORDER:

This Court disposed of writ petition No. 4564 of 2010 by order dated 27.4.2015 recording the statement of learned Government Pleader, on behalf of respondent-State on allocation of house plots in Survey Nos. 3 and 272 of Khammam Rural proportionate to the land lost by them. Petitioners now allege in this contempt that the land allotted to them is not habitable; that there are polluting industries surrounding the land, therefore the land allotted cannot be treated as in due compliance of the directions issued.

2. In the counter affidavit filed on behalf of respondents, they deny the allegations of pollution and categorically asserted that whatever land offered by the Government, which was recorded in the writ petition, was given to petitioners.

3. In contempt proceedings, what is required for consideration is whether the directions issued by this Court are complied or not. In the instant case, on the claim made by the petitioners that they were displaced from their properties and that they were not paid compensation nor alternative land was given to them, the Government came forward in granting them alternative land and proceedings dated 26.4.2015 issued to that extent were produced before this Court. Having regard to the said statement, the writ petition was disposed of granting liberty to the petitioners to appear before the Tahsildar, Khammam Rural, Khammam district with relevant material in support of their claim and identity and as and when petitioners approach, the Tahsildar, Khammam Rural, on satisfying with the eligibility of the petitioners, directed to assign plots proposed. What is alleged now in this contempt is on the livable conditions over the land allotted to them. That issue was not considered in the writ petition. Thus, it cannot be said that the respondents have violated the directions issued warranting initiation of proceedings under Contempt of Courts Act, 1971. If the

petitioners have any objection regarding the nature of land allotted to them, they should avail appropriate remedy as available in law.

4. Accordingly, contempt case is closed, leaving it open to the petitioners to work out their remedies available under law.

P NAVEEN RAO,J

DATE:20.6.2017
TVK



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