

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

CONTEMPT CASE No.64 OF 2017

DATED : 23.06.2017

Between :

Uriti Tirupathi Rao S/o.Sudarshan Rao,
Aged about 57 yrs, Occu : Vegetable vendor,
Peddamarket, Salur, Vizianagaram District & others.

..

Petitioners

And

Sri M.M.Naidu,
Commissioner, Salur Municipality,
Salur Town and Mandal,
Vizianagaram District

..

Respondent



This court made the following :

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ORDER :

This Court by order dated 27.08.2015 granted interim direction in W.P.No.27265 of 2015 not to interfere with the repairs and renovation works to be undertaken to the existing shops and godowns in Peddamarket in Salur Town, bearing municipal ID Nos.2/5, 2/6, 2/6A and 3/3 to 3/8A subject to filing of affidavit by petitioners before the 1st respondent-Commissioner, Salur Municipality, that they would undertake minimum repairs and renovation works and they would not undertake new construction in the guise of the injunction order granted by the competent Court and would vacate the premises as soon as further orders are passed by the Court in the pending suit.

2. Alleging that inspite of the direction issued by this Court, the petitioners are not allowed to undertake repairs, this contempt is filed.

3. In Para 6 of the affidavit deposed by Sri M.M.Naidu-Municipal Commissioner, Salur Municipality, he states that petitioners did not submit affidavits as directed by this Court and that the status quo order granted by Senior Civil Judge, Bobbili, was vacated by order dated 04.07.2016 in I.A.No.544 of 2011 in O.S.No.121 of 2011.

4. The averments made in Para 6 of the affidavit filed by the Commissioner are not controverted.

5. No material is placed on record to show that affidavits were filed by the petitioners, even though sufficient time was granted. Hence, it cannot be said that the respondent-Municipal Commissioner violated the directions issued by this Court, necessitating initiation of proceedings under the Contempt of Courts Act.

6. Contempt case is accordingly closed. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this contempt case shall stand closed.

23rd June, 2017
Rds



P.NAVEEN RAO,J

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