

THE HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN

AND

THE HON'BLE SRI JUSTICE S.V.BHATT

CONTEMPT CASE NO.584 OF 2016

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

The order, violation of which is alleged in this Contempt Case, is the order passed in PIL No.13 of 2015 dated 15.06.2015. The aforesaid order of this Court required the Tahsildar, if he had already initiated action against respondent Nos.10 to12 for the alleged encroachment, to complete the enquiry after giving them an opportunity of being heard, as expeditiously as possible, and preferably within a period of four months from the date of receipt of the order; and, if he had not initiated action as aforementioned, to initiate the same within a period of four months thereafter. The Tahsildar was directed to follow the due process of law while removing the alleged encroachment.

In the counter affidavit filed by the Tahsildar, it is stated that out of the four encroachers, two i.e., Shaik Ibrahim and Sk. Vajeeda were found to fall below the poverty line and to be eligible for grant of house site pattas, while the other two i.e., Shaik Mujahid and Sunkara Pullaiah were found to be an ex-service man and a Village Revenue Assistant who had been sanctioned house site pattas in their own name elsewhere. Consequently, both Sri Shaik Ibrahim and Sk. Vajeeda were granted house sites, and the request of the other two were rejected, and the encroachment was removed.

We are satisfied that the order of this Court has been complied with, and see no reason, therefore, to proceed against the respondents under the Contempt of Courts Act, 1971.

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

(RAMESH RANGANATHAN, ACJ)

(S.V.BHATT, J)

27th January 2017
RRB

