

THE HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN

AND

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

CONTEMPT CASE NO.221 OF 2017

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

The order, violation of which is alleged in this Contempt Case, was passed by a Division Bench of this Court in PIL.No.240 of 2014 dated 28.03.2016.

The order of the Division Bench required the respondent-District Collector to once again verify whether there was any encroachment as alleged; if it was found that there was an encroachment, he may proceed to take action against all encroachers, including the unofficial respondents in the instant PIL, in accordance with law; and the Collector should complete the exercise within six months from the date of the order.

While the order of the Division Bench is dated 28.03.2016, and required the respondent-contemnor to complete the exercise within six months i.e. on or before 28.09.2016, it is evident from the counter-affidavit filed by the District Collector, Nellore dated 21.07.2017, that all the encroachments, other than those which are covered by stay orders of this Court, were removed only by 02.04.2017. While there is a delay of more than six months in complying with the order of the Division Bench, the District Collector has expressed regret, and has tendered his unconditional apology for the delay in complying with the order of this Court.

In the light of the apology, and as the order of the Division Bench has been complied albeit belatedly, we see no reason to

proceed against the respondent under the Contempt of Courts Act, 1971.

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

(RAMESH RANGANATHAN, ACJ)

(P.NAVEEN RAO, J)

1st September 2017
RRB

