

HONOURABLE SRI JUSTICE P. NAVEEN RAO

CONTEMPT CASE No. 1105 of 2016

Date :4.8.2017

Between :

J.V.Rangaiah S/o late J V Subaiah
R/o H NO. 4-67 Buddanagar
Mittakandala mandal, Kurnool district

Petitioner

And

B.A.V.Narayana Naik
The Panchayat Secretary,
Mittakandala village,
Kurnool

Respondents

The Court made the following:



CONTEMPT CASE No. 1105 of 2016

ORAL ORDER:

This contempt case is filed alleging willful disobedience of the interim orders of this Court dated 18.8.2015 in WPMP No. 25126 of 2015 in WP No.19438 of 2015 directing the 4th respondent therein to ensure that pending further orders no further construction takes place on the subject property.

2. Learned standing counsel brought to the notice of this Court that in W.P. No. 27314 of 2012 filed by the very same petitioner, this Court directed that respondents may go on with construction of the temple in such a way that it does not obstruct the access or way to the existing Sri Varasiddeswara Swamy Temple. He therefore submits that in that writ petition a direction was issued to make construction, whereas, in the present writ petition, since under Rule 26 of the A.P. Gram Panchayat Land Development (Layout and Building) Rules, 2002 prior approval from the District Collector is required for construction of a temple, direction was issued not to undertake construction of the temple.

3. Having regard to the fact that there are two different orders passed in two different writ petitions filed by very same petitioner, it cannot be said that the action of the Panchayat Secretary in allowing the construction of the temple as amounting to willful and deliberate violation of directions of this Court. At this stage, learned counsel for petitioner sought to contend that even though in W P No. 27314 of 2012 this Court directed the respondents not to obstruct the access or way to the existing Sri Varasiddeswara Swamy Temple, the concerned persons have blocked the way to the said temple. If what is contended by the petitioner is true, petitioner has to workout his remedies in W.P. 27314 of 2012 and as no such direction was issued in W.P. No.19438 of 2015, same cannot be taken cognizance of.

4. Contempt Case is accordingly closed. No costs. It is needless to mention that all issues are left open to be agitated in the main writ petition.

P NAVEEN RAO,J

DATE:4.8.2017
TVK

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