

THE HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN

AND

THE HON'BLE MS JUSTICE J.UMA DEVI

CONTEMPT CASE NO.1738 OF 2017

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

This Contempt Case is filed alleging violation of the order passed by us in WA.No.940 of 2017 dated 31.07.2017. The allegation in this Contempt Case is that, despite the specific directions of this Court, in WA.No.940 of 2017 dated 31.07.2017, neither have the members of the writ appellant-Association paid arrears of the subscription fee, nor have they handed over the keys to the petitioner in the Contempt Case.

While Sri Vedula Venkata Ramana, learned Senior Counsel appearing on behalf of the petitioner, would contend that the respondent-contemnor had wilfully and deliberately violated the orders of this Court, Sri J.Kanakaiah, learned counsel appearing on behalf of the respondent, would submit that violation of the order of this Court is not by the respondent, but by the petitioner themselves. He would submit that, though members of the writ appellant association were ready and willing to pay arrears of subscription fee, and hand over the keys, it is the petitioner who had refused to receive the subscription fee arrears, and the keys which the writ appellant was ready to hand over to them; the petitioner in the Contempt Case has kept the entire building under lock and key; and they have, thereby, prevented members of the writ appellant-association, who are also members of the petitioner-association herein, from using the building on par with all the other members of the petitioner in the Contempt case.

It is wholly unnecessary for us to dwell on this aspect any further, as Sri J.Kanakaiah, learned counsel for the respondent, has today handed over two Demand Drafts for a total sum of Rs.2,31,000/- representing the arrears of subscription fee of over 600 members of the first respondent-association in W.A. No.940 of 2017, who are also the members of the appellant-association in W.A.No.940 of 2017. He has also handed over a set of five keys relating to the locks placed on the rooms hitherto occupied by the appellant-association in W.A.No.940 of 2017.

While Sri J.Kanakaiah, learned counsel for the respondent, claims that the subject building is under lock and key, Sri Vedula Venkata Ramana, learned Senior Counsel, on instructions, states that the building is kept open, and is not closed. We are satisfied that, in the light of the events recorded hereinabove including payment of arrears of subscription fee and handing over the keys to the petitioner herein, the respondent can no longer be said to have acted in violation of the orders passed by this Court.

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

(RAMESH RANGANATHAN, ACJ)

(J.UMA DEVI, J)

30th August 2017
RRB