

THE HON'BLE SRI JUSTICE C.V. NAGARJUNA REDDY

CONTEMPT CASE NO.2183 OF 2016

DATED:30-06-2017

Between:

V. Pundarikaksha Reddy

... Petitioner

And

Kona Sashidhar
and others

... Respondents

COUNSEL FOR THE PETITIONER: Mr. Kasa Jaganmohan Reddy

COUNSEL FOR RESPONDENT NO.1: A.G.P. for Revenue (AP)

COUNSEL FOR RESPONDENT NOS.2 and 3: Mr. S.D. Goud, Standing
Counsel for Municipalities



THE COURT MADE THE FOLLOWING:

ORDER:

This contempt case is filed alleging wilful disobedience of order dt.07.12.2015 in Writ Petition No.9362 of 2013.

At the hearing, learned counsel for the parties placed before the Court order dt.03.4.2017 in Writ Appeal Nos.343 and 395 of 2017, filed against the order passed in the aforementioned writ petition. The operative portion of the order of the Division Bench reads as under:

“The Tahsildar, Anantapur, shall, within two weeks from today, put the appellants on notice regarding their alleged encroachment over the subject land calling upon them to vacate. The appellants shall, within three weeks from the date of receipt of the notice, furnish their reply to the Tahsildar. The Tahsildar shall, within four weeks from the date of receipt of the appellants reply to the show cause notice, pass orders thereupon, communicate the same to the appellants, and thereafter take action in accordance with law. The entire exercise, culminating in an order being passed and action being taken, shall be completed within three months from today.

As the copy of the notice under Section 405 and 406 of the GHMC Act has been handed over across the bar today to Sri P. Rajesh Babu, learned counsel for the appellants, who acknowledges receipt thereof, it would suffice if the appellants are permitted to submit their reply to this notice within two weeks from today, and the Municipal Corporation is directed to pass orders thereupon within two weeks thereafter and to take necessary action in accordance with law. The entire exercise, culminating in an order being passed, and action being taken by the Municipal Corporation in accordance with law, shall be completed within a period of six weeks from today.”

From the above reproduced order, it is evident that the Division Bench has modified the order passed by this Court in the writ petition referred to above. Thus, the order of this Court is merged with the order of the Division Bench. In view of such merger, the contempt case does not survive for adjudication. If the petitioner feels that the respondents have violated the Division Bench order in the two Writ Appeals as referred

and extracted above, he shall be free to initiate contempt proceedings in respect of the said order.

The contempt case is accordingly dismissed.

C.V. NAGARJUNA REDDY, J

30-06-2017

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