

HON'BLE SRI JUSTICE M.S.RAMACHANDRA RAO

C.C.No.824 of 2016

ORDER:

Heard the learned counsel for the petitioners and the learned Government Pleader for Assignment appearing for respondent Nos.1 to 4 and Sri V.Ravi Kiran Rao, learned counsel for 5th respondent.

2. This Contempt Case is filed alleging willful disobedience of the order dt.03-03-2016 in W.P.M.P.No.9139 of 2016 in W.P.No.7158 of 2016.

3. Initially on 01-04-2016, this Court passed an order staying demolition of the shops of the petitioner in the subject land for a period of 12 weeks from that day. Petitioners filed W.P.M.P.No.30311 of 2016 to extend the said order and the respondent Nos.1 to 4 filed W.V.M.P.No.1008 of 2016 to vacate the said order.

4. On 20-09-2016, this Court declined to extend the order and dismissed W.P.M.P.No.30311 of 2016 stating that there was earlier another Writ Petition 27364 of 2015 filed by the petitioner for the same relief which was withdrawn on 29-12-2015 without seeking any liberty to institute fresh Writ Petition and therefore, W.P.No.7158 of 2016 itself cannot be entertained. It is also recorded therein that the subject land is '*shikam*' and the petitioner's application for regularization of the same is dismissed in March 2016 and that the

petitioners themselves have undertaken that they would vacate the premises.

5. Having regard to the order dt.20-09-2016 in W.P.M.P.No.30311 of 2016 and W.V.M.P.No.1008 of 2016 in W.P.No.7158 of 2016 referred to above, I am of the opinion that this Contempt Case alleging violation of the order dt.03-03-2016 in W.P.M.P.No.9139 of 2016 in W.P.No.7158 of 2016 cannot be proceeded with. Therefore, the Contempt Case is dismissed.

6. As a sequel, the miscellaneous petitions, if any pending, shall stand closed.

JUSTICE M.S.RAMACHANDRA RAO

Date: 27-01-2017
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