

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

CONTEMPT CASE No. 138 OF 2016

ORDER:

This Contempt Case is filed alleging flouting of the order dated 09.02.2015 in Writ Petition No. 2499 of 2015, wherein this Court directed the 3rd respondent therein, who is the contemnor in this case, to deal with the Application submitted by the petitioner in Form VI(A), dated 07.07.2014 seeking to recognize him as the successor-in-interest with respect to the land in Survey Nos. 476 and 478 of Kodad Village and Mandal and pass appropriate orders within a period of four months from that day.

Pursuant to the notice issued on 02.06.2017, the respondent has filed a counter-affidavit, stating that she assumed charge of the Tahsildar, Kodad only on 13.06.2015 and the order complained of in this case dated 09.02.2015 was not brought to her notice. According to her, she came to know the same only after receiving notice in this case and immediately thereafter, she has taken necessary steps and passed final orders on 07.07.2017. In those circumstances, the respondent has pleaded that there is no wilful negligence on her part in complying with the orders of this Court.

The counter-affidavit filed by the respondent is not disputed and no reply-affidavit is filed.

However, learned counsel for the petitioner submits that before passing the order dated 07.07.2017, no notice was served on the petitioner and in fact, the said order has also not been served on him.

Considering the respective submissions and also considering the fact that the respondent, immediately after coming to know the

order passed by this Court in the Writ Petition, has passed the order dated 07.07.2017, this Court finds no wilful negligence on the part of the respondent. So far as the grievance of the petitioner that no notice has been served while passing the order dated 07.07.2017 and that the said order is not in accordance with the relevant Rules, is concerned, the petitioner shall be at liberty to question the said order which shall be considered by the respondent in accordance with law.

The Contempt Case is accordingly closed. No costs.

Consequently, the miscellaneous Applications, if any shall stand closed.

05th September 2017

ksld

CHALLA KODANDA RAM, J

