

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

CONTEMPT CASE No. 348 OF 2018

ORDER :

The case of the petitioner is that she filed Writ Petition No. 30812 of 2017 to declare the inaction on the part of the 1st respondent therein on the appeal and stay petition filed on 28.08.2017 against the order of the 2nd respondent therein dated 12.08.2017 cancelling the caste certificate dated 06.10.2008 issued to the petitioner, as illegal and arbitrary. The said Writ Petition was disposed of by the order dated 13.09.2017 directing that the caste certificate issued in favour of the petitioner should be in force, pending disposal of the Appeal preferred by her.

Now, the grievance of the petitioner is that pending Appeal, the respondent herein had issued proceedings dated 21.11.2017 making her ineligible to continue as M.P.T.C.Member, despite the order dated 13.09.2017 in the Writ Petition. Hence, the Contempt Case.

The proceedings issued by the respondent herein would not constitute violation of the order of this Court in the Writ Petition, wherein this Court, directed the Appellate Authority to dispose of the Appeal in a time-bound manner, while staying the order cancelling the caste certificate. The respondent, in exercise of his statutory powers under the Andhra Pradesh Panchayat Raj Act, 1994, if had not taken into consideration the order passed by this Court, that would constitute an independent cause of action for the petitioner to challenge the said proceedings. That would *per se* cannot be said to be in violation of the order of this Court in the Writ Petition.

In those circumstances, the Contempt Case is closed with liberty to the petitioner to take necessary steps in accordance with law, if so advised.

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

CHALLA KODANDA RAM, J

23rd March 2018

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