

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

CONTEMPT CASE No. 1160 OF 2017

ORDER :

The Contempt Case is filed alleging violation of the order dated 19.04.2017 in Writ Petition No. 12982 of 2017, whereunder, this Court, while issuing notice before admission, passed the following order:

“ As it is the allegation of the petitioner that the respondents 3 and 4 are making constructions over an extent of Ac.0.02 cents situated in Sy. No. 447-1C of Madakasira Town, Ananthapuram District, without permission, respondent authorities shall take into consideration of the allegation of the petitioner and take necessary action, if the allegation of the petitioner is true, by giving notice to the respondents 3 and 4 and by following due process of law.”

The 2nd respondent Commissioner, Madakasira Municipality filed the counter-affidavit denying the allegations made by the petitioner. In paragraph 3 thereof, it has been stated that the Municipality had sanctioned preliminary plan for construction of a residential building in Survey No. 447-1C, after thorough verification of the documents submitted by the applicant, but however, as per the orders of the Hon'ble High Court, the Municipality addressed a letter to the Tahsildar, Madakasira requesting to depute a Mandal Surveyor to identify the boundary of the said survey number. It has been further stated that the Mandal Surveyor has surveyed the land in the above-said survey number and reported that Ac.0.02 cents of private land was encroached.

This specific assertion of made by the 2nd respondent in the counter-affidavit has not been refuted by the petitioner. In that view of the matter, recording the assertions made in the counter-

affidavit, this Contempt Case be closed, submits the learned counsel for the respondents.

Therefore, recording the submissions made in the counter-affidavit, the Contempt Case is closed.

CHALLA KODANDA RAM, J

06th June 2018

ksld

