

THE HON'BLE SRI JUSTICE SANJAY KUMAR

CONTEMPT CASE No.2538 of 2016

ORDER:

This contempt case was instituted alleging wilful disobedience to the order dated 27.04.2016 passed by this Court in W.P.M.P.No.18353 of 2016 in W.P.No.14755 of 2016. By the said order, this Court took note of the fact that the applications of the petitioners therein, five in number, seeking regularization of their encroachment over Government land were still pending consideration before the State authorities and directed the municipal authorities not to demolish the houses constructed by the petitioners in the said land till disposal of their applications. Alleging that demolition was resorted to by the respondents herein contrary to the aforestated order, one out of the five writ petitioners instituted these contempt proceedings.

While so, the learned Government Pleader for Revenue, State of Andhra Pradesh, would inform this Court that the application of the petitioner in this contempt case was rejected on 16.04.2016 and the same was put up online.

Sri M.Pitchaiah, learned counsel for the petitioner, would contend that no hard copy of the rejection order was sent to the petitioner and there is no indication from the online copy produced by the learned Government Pleader as to when the same was put up online.

It is no doubt true that the photocopy of the online rejection does not indicate the date of its entry. It appears that the Land Regularization Information System has now gone online and if the status of an application is to be verified, the application number would have to be entered. Upon such verification, the present photocopy seems to have been obtained on 12.01.2017, as is clear from the date on the right hand

corner. As it is an admitted fact that these applications were invited online, the rejection thereof online cannot be said to be insufficient. When the system itself has gone paperless, the petitioner cannot insist upon communication of a hard copy to constitute proper rejection.

In the light of the aforestated facts, it is clear that the petitioner's application was rejected on 16.04.2016 even before the passing of the order by this Court on 27.04.2016. In such circumstances, no cause is made out for exercise of contempt jurisdiction.

The contempt case is accordingly dismissed.

Application No.435 of 2017 filed for impleadment of the present Tahsildar, Gajuwaka Mandal, as a party respondent in this contempt case shall also stand dismissed. No order as to costs.

28th September, 2018
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JUSTICE SANJAY KUMAR

