

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

CONTEMPT CASE No.712 of 2018

ORDER:

This Contempt Case is filed against the respondent alleging wilful disobedience of the order, dated 29.12.2017, passed by this Court in W.P. No.44955 of 2017.

This Court, considering the nature of the relief sought in the Writ Petition, disposed of the same with a direction to the 2nd respondent-Commissioner, Macherial Municipality, Macherial, to consider the representation, dated 07.12.2017, of the petitioners.

Now, a counter affidavit is filed by the respondent stating that the representation of the petitioners was considered and orders were made on 05.03.2018 intimating the petitioners that on enquiry, it came to light that respondents 3 to 5 filed O.S.No. 111 of 2015 and the same is pending before the learned Junior Civil Judge at Macherial and further, they had also submitted documents in respect of their house, such as Registered Sale Deed, Electricity Bills and Property Tax receipts. It was further intimated that as the suit is pending, it is not possible to take any action against the 3rd to 5th respondents, particularly considering the fact that the construction of house in the site was undertaken as far back as ten years.

Heard the learned counsel for the petitioners and the learned counsel for the respondent.

Inasmuch as, the order of this Court is only to consider the representation of the petitioners, and the same has been considered and necessary orders were passed by the respondent and further, considering the fact that the petitioners did not

disclose the pendency of the suit before the learned Junior Civil Court, Mahcherial, the contempt case is closed leaving it open to the petitioners to workout their remedies in Civil Court.

It is made clear, the observations made in the present Contempt Case or while disposing of the Writ Petition shall not be construed as this Court expressing any opinion with respect to the rights of the respective parties. If the petitioners are aggrieved with the intimation dated 05.03.2015, they are at liberty to challenge the same. No order as to costs.

Consequently, Miscellaneous Petition pending, if any, shall also stand closed.

Date: 05.06.2018.

Ssv

CHALLA KODANDA RAM, J.

