

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

C.C.NO.545 OF 2017

ORDER

This contempt case is filed alleging violation of the order dated 27.09.2016 passed in W.P.No.32056 of 2016, wherein and whereby, this court directed the respondent – District Collector to consider the representation of the petitioners dated 23.02.2015 for payment of compensation in terms of G.O.Ms.No.259 dated 21.06.2016.

In the counter affidavit filed by the respondent it is stated that in compliance of the order passed by this court, he has considered the representation of the petitioner and endorsement in ROC.G2/3325/2016 dated 05.02.2018 has been issued, stating that representation of the petitioners cannot be considered for payment of compensation / ex gratia, as the lands were not resumed for expansion of Air Port, Tirupati. Hence, there is no violation of the orders of this court.

Learned counsel for the petitioners would submit that the respondent having issued resumption notices, cannot state that the lands have not been resumed. He contends that the respondent cannot be permitted to take inconsistent stands and that passing of the impugned endorsement dated 5.02.2018, cannot be considered as true compliance of the order of this court, since there is no proper consideration of the claim of the petitioners.

It is to be seen that this court directed the respondent to consider the representation of the petitioners for payment of compensation and pass appropriate orders in accordance with law. Now by issuing proceedings dated 05.02.2018, respondent stated that lands have not been resumed and hence representation of the petitioners cannot be considered for payment of compensation / ex gratia. Though the counsel for the petitioner tried to argue on

the merits of the proceedings dated 05.02.2018, this court cannot go into the same in the contempt case.

Since the respondent issued proceedings dated 05.02.2018 in pursuance of the order of this court, it cannot be said that there is any contempt on the part of the respondent.

The contempt case is accordingly dismissed.

It is always open to the petitioner to challenge the proceedings dated 05.02.2018 in accordance with law.

Miscellaneous petitions pending, if any, shall stand closed. No costs.

A.RAJASHEKER REDDY,J

DATE:13—03—2018

AVS

