

HON'BLE SMT. JUSTICE KONGARA VIJAYA LAKSHMI

CONTEMPT CASE NO.2041 of 2014

ORDER:

The present Contempt Case is filed complaining violation of orders passed in W.P.No.5474 of 2014 dated 26.2.2014.

The relief sought for in the writ petition is to declare the action of the 1st respondent in not conducting public auction for leasing out the lands belonging to Sri Chenna Kesava Swamy Devasthanam, Eepuru village, and the said writ petition was disposed of directing the 2nd respondent therein to consider the representation of the petitioner and to pass a reasoned order and intimate his decision to the petitioner. The said exercise was directed to be completed within a period of four weeks from the date of receipt of a copy of the said order.

On 3.8.2018, contempt case was admitted and notice in Form-I was issued.

Counter affidavit is filed by the 2nd respondent stating that after the disposal of the writ petition, the petitioner has again submitted a similar representation dated nil, which was received on 2.6.2014 and that the Executive Officer of the subject temple gave answer to the representation of the petitioner vide letter dated 3.6.2014; since the Executive Officer gave answer to the representation of the petitioner and proceeded further for eviction of the encroachments, the 1st respondent might have felt that it is sufficient compliance of the orders

of this Court; after the 2nd respondent assumed charge as Commissioner, while perusing the file relating to contempt case, she felt that the representation of the writ petitioner has to be disposed of by the Commissioner for due compliance of the directions of this Court; the Commissioner disposed of the representation of the petitioner with a reasoned order vide proceedings dated 24.8.2018, the same was communicated to the petitioner and acknowledgment was obtained on 24.8.2018 and that there is no wilful disobedience of the orders of this Court and tendered unconditional apology for the same.

Learned counsel for the petitioner contends that the order in the writ petition was complied with only after notice in Form-I was issued.

As seen from the counter affidavit of the 2nd respondent, the 1st respondent retired from service and the 2nd respondent disposed of the representation on 24.8.2018 with delay. In view of the unconditional apology tendered, the Contempt Application is closed.

Miscellaneous petitions pending, if any, shall stand closed.

KONGARA VIJAYA LAKSHMI, J

Date: 30/11/2018

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