

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

CONTEMPT CASE No.1282 OF 2018

DATED :02.11.2018

Between :

Dammalapati Ramakotaiah,
S/o.Narayana, Aged about 75 yrs,
Occu : Agriculturist, R/o.Thimminenipalem Village,
Chinthakani Mandal, Khammam District.

.. Petitioner

And

Sri D.S.Lokesh Kumar,
The District Collector,
Khammam District & others.

... Respondents



This court made the following :

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ORDER :

W.P.No.10595 of 2018 was disposed of by order dated 09.04.2018. The grievance of the petitioner in the writ petition was that the respondent authorities are trying to interfere and threatening to dispossess the petitioner from his land and the same is illegal.

2. On behalf of the respondents, learned Government Pleader stated before this Court that enquiry was scheduled on 11.04.2018; that appropriate action would be taken only after affording due opportunity and on due consideration of the explanation; and till a decision is made, no steps would be taken to cancel the pattadar pass books and title deeds and to dispossess the petitioner before completing the enquiry. The same was recorded and accordingly, the Writ Petition was disposed of.

3. This contempt case is filed alleging that contrary to the undertaking given before this Court, the respondents willfully and deliberately deleted the land to an extent of Ac.13-34 guntas in Sy.Nos.73 and 75 from the pattedar pass books and issued latest pattedar pass books on 15.05.2018 and the same amounts to violating the directions of this Court.

4. In the counter affidavit filed on behalf of the 2nd respondent, it is stated that enquiry proceedings could not be conducted on 11.04.2018 on administrative reasons; the matter was adjourned to 22.05.2018; hearing was conducted on

22.05.2018, and again on 29.06.2018; and submissions made by the petitioner were recorded. At that stage, petitioner filed W.P.No.18246 of 2018 alleging deletion of property from the e-pattadar pass books without notice or opportunity and contrary to the earlier orders of this Court. The said writ petition was disposed of granting liberty to the petitioner to file revision against the alleged deletion of names and further directions were issued.

5. In view of the subsequent directions of this Court in W.P.No.18246 of 2018 dated 06.06.2018, the same was informed by the petitioner, hearing was held on 29.06.2018. It appears petitioner deposed that in view of the orders passed by this Court on 06.06.2018, the appeal case under hearing should not be continued and a memo to that extent was filed. In view of this development, the proceedings were closed before the Revenue Divisional Officer.

6. It is categorically asserted that the name of the petitioner is not deleted from the ROR record and 1B Register in respect of Sy.Nos.73 and 75. According to 2nd respondent, in view of the policy, e-pattadar pass books are issued where there is no dispute and wherever there is dispute the properties are kept in B-Register to take up the issue of pattadar pass book at a later point of time. Thus, it is not the case of deleting the name of petitioner from the pattadar pass books.

7. Further on account of subsequent developments, petitioner himself stated before the Revenue Divisional Officer not to proceed further in view of the subsequent orders of this Court and pendency of revision before the higher authority, it

cannot be said that the notices issued on 23.03.2018 are deemed to be pending for the petitioner to allege violation. Further the explanation offered by the respondents for restricting issuance of e-pattedar pass books only to some other extent of lands and not issuing e-pattedar pass books for the land in Sy.Nos.73 and 75 cannot be said in derogation to the directions of this Court to hold them guilty.

8. Accordingly, the contempt case is closed. The contemnor is discharged from the contempt proceedings. Pending miscellaneous petitions shall stand closed.

2nd November, 2018
Rds

P.NAVEEN RAO,J

