

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

CONTEMPT CASE No. 1407 OF 2018

ORDER :

Complaining wilful disobedience of the order dated 26.12.2017 in W.P.M.P. No. 54787 of 2017 in Writ Petition No. 44193 of 2017, the petitioner filed his Contempt Case.

By the order dated 26.12.2017, this Court suspended the operation of the proceedings in File No. D2/1505/2016, dated 24.11.2017 issued by the 2nd respondent in the Writ Petition under Section 9 of the A.P. Rights in Land and Pattedar Passbooks Act, 1971.

The case of the petitioner is that in spite of the order of this Court suspending the proceedings of the 2nd respondent in the Writ Petition, the respondents have issued the memo dated 08.06.2018 directing the petitioner not to cultivate the land and further returned the cheques issued under 'Rytu Bandhu' scheme on account of the pending litigation.

Heard learned counsel for the petitioner.

Even assuming for the sake of argument that the said memo directing the petitioner to return the cheques and not to cultivate the land could not have been issued, as the issue relating to validity or otherwise of the order passed under Section 9 of the 1971 Act by the Joint Collector is pending, the same would not amount to contempt *per se*. At best, the petitioner ought to have sought an appropriate relief even with respect to the said memo in the Writ Petition itself.

In those circumstances, leaving it open to the petitioner to workout the remedies against the memo dated 08.06.2018 in the Writ Petition pending, the Contempt Case is closed.

CHALLA KODANDA RAM, J

03rd October 2018

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