

**THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN
AND
THE HON'BLE MS. JUSTICE J. UMA DEVI**

Contempt Case No.1648 of 2018

ORDER: (per Hon'ble the Acting Chief Justice Sri Ramesh Ranganathan)

This Contempt Case is filed alleging wilful and deliberate violation of the order passed by this Court in I.A.N:o.1 of 2018 in W.P. (PIL) No.162 of 2018 dated 26.06.2018 whereby the 2nd respondent (Telangana State Southern Power Distribution Company Limited) was directed not to install any electric transformer/sub-station within a distance of 30 meters from the existing petroleum pump/station.

The petitioner alleges that, despite the interim order, construction continued unabated. A counter-affidavit is filed by the Director of the 2nd respondent stating that the subject station was not being set-up by the 2nd respondent, but was being erected by the Transmission Corporation of Telangana State ("TS TRANSCO"); land was initially allotted to the 2nd respondent, but was later transferred to TS TRANSCO, since the subject station is of 132/33 KV which could be established only by TS TRANSCO; the 2nd respondent is not empowered to set-up such a sub-station; officials of the TS TRANSCO had been informed about the interim order; in compliance with the said order, the work had been stopped; and TS TRANSCO has filed an implead petition and a vacate stay petition in the main Writ Petition.

It is evident that the construction, hitherto made, was not by the 2nd respondent, but by TS TRANSCO which was not a party to the Writ Petition. After intimation of the order of this Court, TS TRANSCO is said to have stopped further construction, and to

have filed a petition to vacate the interim order. We see no reason, therefore, to proceed against the respondents herein under the Contempt of Courts Act, more so, as the Learned Counsel for the petitioner would fairly state that construction has been stopped as on date.

The Contempt Case is, accordingly, closed. The miscellaneous petitions, if any pending, shall also stand closed. There shall be no order as to costs.

RAMESH RANGANATHAN, J

J. UMA DEVI, J.

Date:03.08.2018.
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