

HONOURABLE SRI JUSTICE A.RAJASHEKER REDDY

CONTEMPT CASE No.1971 of 2017

O R D E R :

The contempt case is filed alleging violation of the order dated 13.10.2016 passed by this Court in WP.No.33789 of 2016, wherein this Court directed the 2nd respondent-Tahasildar to consider and dispose of the applications of the petitioner after issuing notice to the effected parties, in accordance with law, within a period of eight weeks from the date of receipt of a copy of the order.

Learned Assistant Government Pleader for Assignments submits that though in the order dated 13.10.2016 passed by this Court the Tahasildar is arrayed as 2nd respondent, in pursuance to the aforesaid orders of this Court, the Tahasildar passed order dated 29.09.2017, as such there is no violation of the order dated 13.10.2016.

Learned counsel for the petitioner submits that in the order dated 13.10.2016, this Court directed the 2nd respondent to consider the application of the petitioner, but the order dated 29.09.2017 was passed by the Tahasildar, which is without jurisdiction. He also submits that the said order dated 29.09.2017 is not even communicated to the petitioner.

It is to be seen that though Joint Collector is the 2nd respondent in WP.No.33789/2016, in the order dated

13.10.2016 direction was issued to the Tahasildar but mentioned as 2nd respondent. In pursuance of the said order, the Tahasildar who is 2nd respondent in this Contempt Case passed elaborate order dated 29.09.2017. As such, there is no violation of the order dated 13.10.2017 passed by this Court in WP.No.33789/2016. Though learned counsel for the petitioner tried to argue on the correctness of the order dated 29.09.2017 including jurisdiction, this Court cannot decide the said aspect in the Contempt proceedings. It is for the petitioner to challenge the said proceedings. If the respondents have not communicated the said order to the petitioner as on today, the 2nd respondent is directed to communicate the order dated 29.09.2017 to the petitioner within a period of one week from the date of receipt of a copy of this order.

Accordingly, the Contempt Case is closed. No order as to costs.

As a sequel thereto, miscellaneous applications, if any, pending in the Contempt Case, shall stand closed.

A.RAJASHEKER REDDY, J

19.01.2018
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