

THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

CONTEMPT CASE NO.1868 OF 2015

ORDER:

Respondent-contemnor is present in Court today.

The order, violation of which is alleged in the Contempt Case, is the order passed in WP No.40654 of 2012 dated 04.01.2013 wherein the submission of the Learned Government Pleader for Revenue was recorded that, except for the land in Sy. No.50 which is patta land, the lands in the other survey numbers are all Government lands classified in the revenue records as "assessed waste"; except for an extent of Ac.2.94 cts in Sy. No.230/2, these lands are not subjected to cultivation; and any action, which the respondents may take for removal of encroachments, would only be in accordance with law. The Writ Petition was disposed of recording the submission of the Learned Government Pleader that any action which the respondents would take, to dispossess those in possession of Government lands, shall only be in accordance with law.

This Contempt Case is filed alleging wilful and deliberate violation of the order passed by this Court. Reliance is placed by the petitioner on a letter addressed by the respondent-contemnor to the Assistant Engineer on 18.03.2015 directing that no permission be accorded for laying of electrical lines on the subject land. Sri V. Sudhakar Reddy, Learned Counsel for the petitioner, would also draw my attention to a news paper report which contains a photograph of revenue officials (including the respondent-contemnor) standing on certain lands, to submit that the respondent had interfered with the petitioner's possession,

though they had admitted before this Court that the subject land was private patta lands.

An additional affidavit is filed by the respondent-contemnor wherein it is stated that the photograph does not belong to the subject land; the letter addressed by him, to the Assistant Engineer, was by mistake; the respondent-contemnor lacked experience; and he is not interfering with the petitioner's possession over the subject land. The respondent has also tendered his unconditional apology and has sought pardon.

While it does appear that the respondent had asked the Assistant Engineer not to provide electric connection to the petitioner, on the ground that the subject land is Government land, though he had earlier admitted before this Court that it was private patta land, I see no reason to proceed against him under the Contempt of Courts Act since he has not only tendered apology for his earlier act, but has also sought pardon of this Court. Further Sri V. Sudhakar Reddy, Learned Counsel for the petitioner, also submitted that, as at present, there is no interference by the revenue officials with the petitioner's possession over the patta lands in Sy. No.50.

The Contempt Case is, accordingly, closed. The miscellaneous petitions pending, if any, shall stand closed. No costs.

(RAMESH RANGANATHAN, J)

Date: 07.09.2018

MRKR