

THE HON'BLE SRI JUSTICE M.S.RAMACHANDRA RAO

C.C.No.2452 of 2018

ORDER:

Heard the learned counsel for the petitioner and the learned special Government Pleader, appearing for respondents.

2. This Contempt Case is filed by the petitioners alleging willful disobedience of the order dt.27-07-2018 in I.A.No.1 of 2018 in WP.No.26046 of 2018.

3. The petitioner, who had been assigned Ac.5.29 cts in different survey numbers in Chinnapanduri Village, Varadaiahpalem Mandal, Chittoor District had filed the said Writ Petition questioning action of the respondents in resuming their lands without paying any compensation as per the decision in **LAO-cum-Revenue Divisional Officer, Chevella Division, Domalguda, Hyderabad and others Vs. Mekala Pandu and others¹**.

4. He had filed I.A.No.1 of 2018 to direct the respondents to ensure that no development activity was carried out in the land assigned to him which had been resumed by the respondents, pending the Writ Petition.

5. On 27.07.2018 after hearing the counsel for petitioners and the G.P. for Land Acquisition, the following order was passed in I.A.No.1 of 2018 :

“... .. since notices by Registered Post Acknowledgment Due (RPAD) have not been served on petitioner and no explanation is

¹ 2004(2) ALD 451 (LB)

furnished in the impugned order as to why 'substituted service' was resorted to, and in what manner and when, prima facie, the impugned order can be said to have been passed in gross violation of principles of natural justice.

Therefore, there shall be interim direction as prayed for."

6. Alleging that the above order was violated and development activity was being carried on in spite of legal notice dt.06.08.2018 on the directions of the respondents, this Contempt Case is filed.

7. The Government Pleader for Land Acquisition and Smt. A.Jayanthi, learned Standing Counsel for APIIC, contended that the said allegation is not correct and that there was an attempt by the Plant Manager, Apollo Tyres, which Company was later assigned land by the State to carry out development activities, but the respondents stopped the same.

8. Having regard to the fact that no clear evidence of violation of the orders passed by the Court is produced by petitioners, I hold that there is no willful or deliberate violation of the order passed by this Court on 27-07-2018 in I.A.No.1 of 2018 in WP.No.26046 of 2018.

9. Accordingly, the Contempt Case is dismissed. No costs.

10. As a sequel, miscellaneous applications pending, if any, shall stand closed.

JUSTICE M.S.RAMACHANDRA RAO

Date: 31-12-2018

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