

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

CONTEMPT CASE No.2105 OF 2017

Dated:05.01.2018

Between:

Syed Akbar Ali, S/o. Late Mehmood Ali,
Aged about 46 years, Occ: Business,
R/o.3-28, Mehmood Nagar, Pet Basheerabad,
Kompally (V), Qutubullahpur (M),
Ranga Reddy District

.. Petitioner

And

Payyala Sudhakar, S/o. not know to the
Petitioner, Occ: Mandal Revenue Inspector,
Qutubullahpur Mandal, Ranga Reddy
District

.. Respondent



The Court made the following:

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ORDER:

This Court, by order dated 28.08.2017 in W.P.No.27745 of 2017, while adjourning the matter to be listed along with W.P.No.26442 of 2016, directed not to dispossess the petitioner without following due process if he is in possession of the subject property. The property in issue was land to an extent of Acs.5.27 guntas in Survey No.25/2 of Kompally Village, Qutubullahpur Mandal, Ranga Reddy District. Alleging violation of the said directions, this Contempt Case is filed.

2. In the counter affidavit filed by the respondent, it is stated that the respondent has not dispossessed the petitioner, as alleged. It is stated that when the petitioner was attempting to encroach into the Government land in Survey Nos.25/1 and 2 of Pet Basheerabad Village, the deponent was directed to take steps for protection of the Government land and in compliance thereof, he visited the subject land and noticed that Sri Syed Akbar Ali was trying to encroach into the Government land. Therefore, he took steps to stop the encroachment and to remove the said encroachment. It is asserted that no record is available to show that the petitioner is having patta of the land in Survey No.25 of Pet Basheerabad Village. It is stated that the respondent is not concerned with the land in Survey No.25 of Kompally Village, which is presently forming part of Gandimaisamma-Dundigal Mandal and the said survey number is different from the land of Pet Basheerabad village. It is further asserted that the lands in

Survey Nos.101 and 104 of Kompally village were the boundary dispute lands with Survey Nos.25 and 93 of Pet Basheerabad village and land in Survey No.25 of Kompally village has no relation to the deponent. In other words, it is the stand of the respondent that he is no way concerned with the land in Survey No.25 of Kompally village and therefore there is no violation of the directions of this Court.

3. As seen from the prayer sought in W.P.No.27445 of 2017, the allegation was that the Mandal Revenue Inspector of Qutubullahpur Mandal, by name, Payyala Sudhakar was interfering with the possession of the petitioner's land to an extent of Acs.5.27 guntas in Survey No.25/2 of Kompally village of Qutubullahpur Mandal, whereas the Mandal Revenue Inspector arrayed as respondent in this Contempt Case asserts that he was trying to protect the Government land in Survey Nos.25/1 and 2 of Pet Basheerabad village.

4. No other material is placed on record to disprove the stand of the respondent. Therefore, no case is made out to initiate the proceedings under the Contempt of Courts Act, 1971.

5. The Contempt Case is accordingly closed.

P. NAVEEN RAO, J

Date:05.01.2018

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