

High Court for the State of Telangana

The Hon'ble The Chief Justice Raghvendra Singh Chauhan

and

The Hon'ble Sri Justice A. Abhishek Reddy

C.C. No. 2342 of 2018

Date: 18-10-2019

Between:

Rama Ram Mohan Reddy

...Petitioner

And

Sri Dharma Reddy
District Collector, Medak District
at Sanga Reddy
(New Medak District) and another

...Respondents

Counsel for the petitioner: Mr. Jalli Kanakaiah

Counsel for the respondents: GP for Revenue

The Court made the following:

Order: (per Hon'ble The Chief Justice Raghvendra Singh Chauhan)

The present Contempt Case has been filed ostensibly on the ground that the directions issued by the Coordinate Bench *vide* order dated 24-07-2017, in W.A. No. 976 of 2017 have not been complied with by the alleged contemnors.

By the said order, the learned Coordinate Bench had directed the alleged contemnors as under:

“The appellant- writ petitioner shall file such an application, along with prescribed fee, at the earliest. The second respondent shall consider the said application, cause a survey of the subject land, and thereafter take necessary action in accordance with law. The entire exercise, culminating in an order being passed and communicated to the petitioner, shall be completed with utmost expedition, in any event, not later than two months from the date of receipt of the appellant's application.”

The learned counsel for the complainant submits that although the survey was carried out on 06-01-2018, 15-02-2018 and 21-06-2018, still the land allegedly belonging to the complainant, *i.e.*, the land falling in Survey Nos. 23 and 24 of Nawabpet Village, Shivampet Mandal, Medak District, has not been identified by the alleged contemnors. Therefore, they continue to commit the contempt of the judgment passed by the learned Coordinate Bench.

On the other hand, the learned counsel for the alleged contemnors claims that by the said order, the learned Coordinate Bench had merely directed that the survey shall be carried out, and subsequent action in accordance with law should be taken. Consequently, thrice the survey had been carried out by the alleged contemnors. It has been discovered that there is an overlapping of the land at the boundaries of the villages. Because of the non-availability of the old village map for correlation with the lands in Survey Nos. 23 and 24, which the complainant claims to be the owner of, the same could not be superimposed on the present village map, which is in force. However, according to the learned counsel, since the alleged contemnors were directed to carry out the survey, and since the survey has indeed been carried out, no contempt is made out.

A bare perusal of the order dated 24-07-2017, clearly reveals that the learned Coordinate Bench had merely directed the alleged contemnors to carry out the survey properly. The survey had been carried out on three different dates as mentioned hereinabove. Therefore, the order passed by the learned Coordinate Bench has, indeed, been

implemented by the alleged contemnors. In case the complainant still has any further complaints, he has ample legal remedies for seeking a relief from the competent authority. However, this Court does not find any merit in the present Contempt Case. Therefore, it is, hereby, dismissed.

As a sequel, Miscellaneous Petitions, pending if any, stand disposed of as infructuous.

(Raghvendra Singh Chauhan, CJ)

(A. Abhishek Reddy, J)

Dt: 18th October, 2019
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