

**HON'BLE SRI JUSTICE A.RAJASHEKER REDDY**

**CONTEMPT CASE No.2716 of 2018**

**ORDER:**

This Contempt Case is filed alleging violation of orders passed by this Court in WP.No.25983 of 2018, dated 30-07-2018.

Learned counsel for the petitioner says that he has given-up Vakalat. The petitioner is not present in-person and there is no appearance on behalf of petitioner.

Learned Assistant Government Pleader for Home basing on the averments of the counter affidavit submits that representation of the petitioner dated 23-06-2018 is not received. But, however, the petitioner lodged a complaint on 28-06-2018 with the 2<sup>nd</sup> respondent. He also submits that respondent-police have taken action which they have mentioned in the counter affidavit as under:

“.....that respondents 6 and 7 in WP.No.25983 of 2018 namely Aziz and Yadulla started constructions in the surroundings of the complainant residence and they were caused heavy noise pollution by the ongoing activities like drilling, operations of heavy machines, bore wells and mikes etc., The accused also caused damaged to the complainant's house compound wall, ramp, water pipes etc., Pursuant to the complaint of the petitioner, a case was registered as Cr.No.1040/2018 dated 28.06.2018 for the offences u/ss.336, 427 IPC against the above said persons on the file of respondent No.2 herein and investigation has been taken up by the Sub Inspector of Police.

It is respectfully submitted that during the course of investigation three (3) witnesses have been examined and recorded their detailed statements. Notices U/s.41-A Cr.P.C. were served on the accused. Basing on the evidence and merits of investigation, prima facie case

established against the accused U/s.336, 427 IPC and the charge sheet is being filed before the Hon'ble XIV Metropolitan Magistrate, Rajendranagar. The investigating officer issued notices U/s.41-A Cr.P.C. on 05.07.2018 to the accused, stating that the charge sheet is being filed before the Hon'ble Court for prosecuting the accused and they are requested to attend the Hon'ble Court whenever the summons issued to them.

It is respectfully submitted that again the petitioner lodged a complaint on 13.01.2019 with the respondent No.2, stating that one Quadri and others have not implemented the GOMs.No.172, dated 12.10.2010 and the said persons harassed her by inducing noise day and night and abused in filthy language. Basing on the complaint of the petitioner, a case was registered as Cr.No.62/2019 for the offences U/s.290, 341, 506 IPC & Section 66(g), 70(b) of City Police Act, against the said Quadri and others and investigation has been taken up by issuing notices U/s.41-A Cr.P.C. to the accused persons. Basing on the evidence and merits of investigation, prima facie case established against the accused U/s.290, 341, 506 IPC & Section 66(g), 70(b) of City Police Act, and the charge sheet is being filed before the Hon'ble XIV Metropolitan Magistrate, Rajendernagar. The investigating officer issued notices U/s.41-A (1) Cr.P.C. on 14.01.2019 to the accused, stating that the charge sheet is being filed before the Hon'ble Court for prosecuting the accused and they are requested to attend the Hon'ble Court whenever the summons issued to them.

It is respectfully submitted that the respondents implemented the orders of the Hon'ble High Court dated 30.07.2018 passed in WP.No.25983/2018 and registered two criminal cases on the complaints of the petitioner herein vide Cr.No.1040/2018 dated 28.06.2018 for the offences U/s.336, 427 IPC and Cr.No.62/2019 dated 13.01.2019 for the offences U/s.290, 506, 341 IPC & Sec.66-G, 70-B of CPA."

No reply affidavit is filed disputing the averments in the counter affidavit stated supra.

In view of the same, I do not see any violation of orders passed by this Court.

Accordingly, the Contempt Case is closed leaving it open to the petitioner to avail remedies available to her in accordance with law, if still she is so aggrieved.

As a sequel to the disposal of this case, miscellaneous applications, if any, pending shall stand closed.

---

**A.RAJASHEKER REDDY,J**

28-03-2019

Nvl



