

HON'BLE SRI JUSTICE P. NAVEEN RAO
CONTEMPT CASE Nos.447 and 448 of 2019

DATED : 31.01.2020

CONTEMPT CASE No.447 of 2019

Between :

L. Chenna Reddy

... Petitioner

AND

Mr. M. Somi Reddy,
District Educational Officer,
Mahabubnagar District and others.

... Respondents

CONTEMPT CASE No.448 of 2019

Between :

Smt. N.J. Leena Viola

... Petitioner

AND

Mr. M. Somi Reddy,
District Educational Officer,
Mahabubnagar District and others.

... Respondents

The Court made the following :

HON'BLE SRI JUSTICE P. NAVEEN RAO**CONTEMPT CASE Nos.447 and 448 of 2019****COMMON ORDER:**

These two contempt cases are filed alleging violation of the common order dt.05.09.2018 passed by this Court in W.P.No.31338 and 31328 of 2018, respectively.

2. The writ petitions were disposed of granting liberty to the petitioners to make a representation to the District Educational Officer, Mahabubnagar District, with a further observation that as and when such representations are made, the District Educational Officer shall consider the same and take appropriate decision as warranted by law within a period of six weeks from the date of receipt of such representations.

3. Along with the counter affidavit filed, earlier it was reported that a decision was already made by the competent authority rejecting the request of the petitioners.

4. Learned counsel for the petitioners pointed out that there is an inordinate delay in taking the above decision, even though the Court fixed a time frame, and no reasons are assigned as to why such a delay has occasioned.

5. The Regional Joint Director of School Education, Hyderabad, has filed an affidavit explaining the reasons for

the delay, wherein she stated that the Management of the School failed to submit proposals earlier for filling up of the existing Aided vacancies in the School. It is also stated that the delay also caused in getting the old records for verification. She also stated that the delay is neither willful nor deliberate and tendered her unconditional apology. Along with the affidavit, a copy of the order dt.22.06.2019 passed by her is also enclosed.

6. Learned counsel for the petitioners contends that the rejection of the request of the petitioners is by referring to the ban imposed by the Government with effect from 20.10.2004, whereas the said ban is no more applicable in view of the decision rendered by a Division Bench of this Court and, therefore, the said ground is not valid.

7. What is contended by the learned counsel for petitioners may be true, but the same has to be considered in appropriate proceedings. Insofar as these Contempt Cases are concerned, the direction in the writ petitions was to consider the representations that may be made by the petitioners. It is not the case of the petitioners that in the representations made by them, it has specifically referred the judgment rendered by a Division Bench of this Court declaring that the ban is not valid. Therefore, it cannot be said that the rejection of the request of the petitioners would amount to violation of

the order passed by this Court warranting initiation of contempt proceedings.

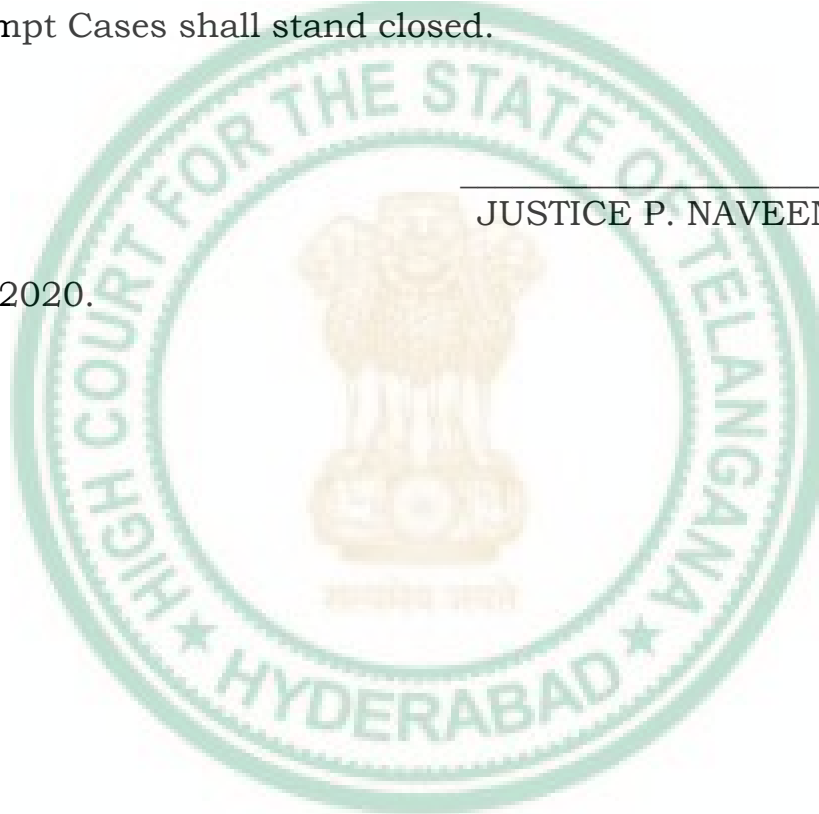
8. Accordingly, these Contempt Cases are closed, leaving it open for the petitioners to avail appropriate remedy against said rejection order issued by the respondents. No order as to costs.

9. Miscellaneous petitions pending, if any, in these Contempt Cases shall stand closed.

JUSTICE P. NAVEEN RAO

31.01.2020.

Msr



HON'BLE SRI JUSTICE P. NAVEEN RAO

CONTEMPT CASE Nos.447 and 448 of 2019



31.01.2020
Msr