

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

CONTEMPT CASE No.1260 OF 2019

Dated:07.02.2020

Between:

Rakesh Tiwari, S/o. Late SP Tiwari,
Aged about 48 years, R/o.23-3-497,
Sultan Shahi, Hyderabad

.. Petitioner

And

Shri Krishna Mohan Reddy,
S/o. Not known, Occ: The Municipal
Commissioner, Narsingi Municipality,
Having office at Narsingi Municipal
Officer, Narsingi, Gandipet Mandal,
Hyderabad

.. Respondents



This Court made the following:

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ORDER:

Petitioner alleges that the directions issued by the Court in W.P.No.13386 of 2019, dated 10.07.2019, are violated and though illegally construction was made by the unofficial respondents in the writ petition, no action is taken against them.

2. According to learned standing counsel for the respondent – Municipality, on verification it was noticed that building permissions were granted for two floors, but the building construction refers to ground floor only. However, he would further submit that the unofficial respondents filed W.P.No.17548 of 2019 challenging the notice issued on 20.07.2019 proposing to demolish the farm house constructed by the unofficial respondents. This Court disposed of the said writ petition on 16.08.2019 directing the respondent – Municipality to consider the explanation offered by the petitioners therein on 06.08.2019 and till a decision is made, not to take coercive action.

3. From the order passed by this Court also, it is clear that the unofficial respondents should not construct the building beyond the permissible limits. But, the direction issued was to verify whether any building permission was granted and if not granted, the official respondents to take action. Further, in view of the orders of this Court in W.P.No.17548 of 2019, it cannot be said that the respondent – Municipality disobeyed the orders of this Court willfully and deliberately warranting initiation of contempt proceedings.

4. The Contempt Case is accordingly closed granting liberty to the petitioner to avail remedies as available in law.

P. NAVEEN RAO, J

Date:07.02.2020

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