

THE HONOURABLE SRI JUSTICE P.NAVEEN RAO

CONTEMPT CASE No.1584 OF 2019

DATED :28.02.2020

Between :

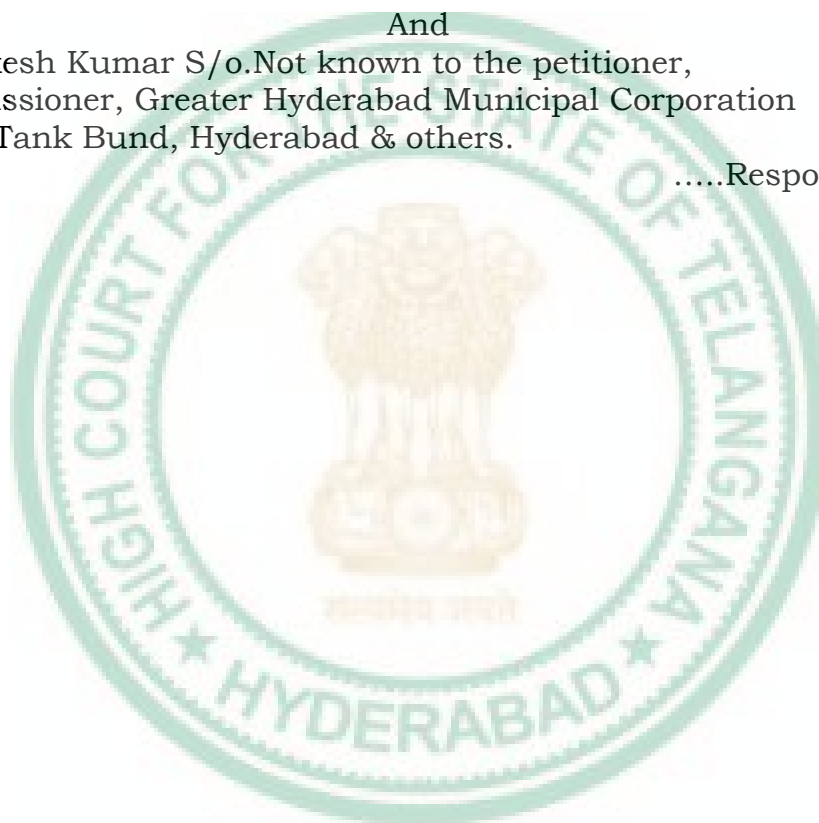
M.Geeta Rani W/o.M.Gnaneshwar,
Aged about 59 yrs, Occu : Housewife,
R/o.H.No.2-2-3/3/10/AF 206,
Sai Surabhi Apartment,
Bagh Amberpet, D D Colony,
Shivam Rao, Hyderabad.

..... Petitioner

And

Sri Lokesh Kumar S/o.Not known to the petitioner,
Commissioner, Greater Hyderabad Municipal Corporation
Lower Tank Bund, Hyderabad & others.

.....Respondents



The Court made the following:

HONOURABLE SRI JUSTICE P.NAVEEN RAO

CONTEMPT CASE No.1584 OF 2019

ORDER :

While dismissing W.P.No.18284 of 2019, liberty was granted to petitioner to apply to the Greater Hyderabad Municipal Corporation (GHMC) with all supporting documents, on her house plot and call upon GHMC to look into her grievance. Liberty was also granted to petitioner to ask for conducting of survey, if it is permissible and if the application is made within one week from date of receipt of the order, the GHMC was directed to consider the application within four weeks thereafter. Alleging that the order of this Court is not acted upon, this contempt case is filed.

2. Along with the counter affidavit, copy of the proceedings in Lr.No.1004/TPS/HO/C3/GHMC/2019/1004, dated 3/6.12.2019 is enclosed. A reading of this letter addressed to the petitioner would show that petitioner was informed that there is overlapping of two layouts and to ascertain whether petitioner's plot is included in the open space of new layout, a detail survey has to be conducted. The letter also indicates that it was addressed to the District Collector, Medchal-Malkajgiri District and Assistant Director, Survey and Land Records, to conduct survey and demarcate the petitioner's plot on ground.

3. Both counsel informs the Court that petitioner also filed W.P.No.10967 of 2019 to conduct survey and the same is pending.

4. Since there was no positive direction to the respondent-GHMC, but only to act upon the application made and the respondent-GHMC has infact acted upon the application made and

informed to petitioner in the reply dated 03/06.12.2019, that a survey has to be conducted. As the GHMC is not competent to conduct survey, it cannot be said that there is willful and deliberate disobedience of the order of this Court warranting initiation of contempt proceedings.

5. Thus, leaving it open to the petitioner to pursue W.P.No.10967 of 2019, or any other remedy regarding conducting of survey, this Contempt Case is closed. Pending miscellaneous petitions, if any, shall stand closed.

P.NAVEEN RAO,J

28th February, 2020
Rds

