

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

**FRIDAY, THE ELEVENTH DAY OF JUNE
TWO THOUSAND AND TWENTY ONE**

PRESENT

THE HONOURABLE SRI JUSTICE P NAVEEN RAO

CONTEMPT CASE NO: 549 OF 2020

Contempt Case filed under Sections 10 to 12 of Contempt of Courts Act 1971 to summon the respondents herein and punish them for willful violation of the orders dated 21.08.2019 in W P No 10359 of 2019

Between:

Sri P.Sampath, Aged about 64 yrs, R/o.H.No.3-9-407/1, Reddy Colony,
Hanamkonda, Warangal District

.....PETITIONER

AND

1. Shri M.R.M. Rao The Transport Commissioner, Transport Bhavan, Khairatabad, Hyderabad 500004
2. P. Ravinder, The Regional Transport Authority, Rep by its Secretary, Uppal, Medchal District.
3. B. Srinivas, Lisencing officer, Asst Secretary to RTA Uppal, Medchal District.

..... RESPONDENT

IA NO: 1 OF 2020

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased permit to file to file leave to file contempt case against the Respondent.No3 who is not a party the W.P No 10359

Counsel for the Petitioner: SRI. V SRIKANTHA RAO

Counsel for the Respondents: GP FOR TRANSPORT (TG)

The Court made the following: ORDER

THE HON'BLE SRI JUSTICE P. NAVEEN RAO**CONTEMPT CASE No.549 OF 2020****ORDER:**

While disposing of Writ Petition No.10359 of 2019, liberty was granted to the petitioner to file application within one week from the date of receipt of copy of that order with supporting documents seeking exemption from payment of tax as demanded by the Regional Transport Officer. On due consideration of the explanation, the competent authority was directed to pass orders as warranted by law. Till decision is made, respondents were directed not to take any coercive action against the petitioner. Alleging said orders are violated, this Contempt is filed.

2. Though even before contempt is filed, orders were passed on 25.09.2019 rejecting the request of the petitioner, learned counsel for the petitioner contends that said order was passed by the Regional Transport Officer, whereas he is not party to the writ petition and he could not have passed such order. There is no specific averment on how learned counsel for the petitioner is contending on lack of competence of the Regional Transport Officer to enable the respondents to reply on allegation of competence. Court has not specified who should pass order. The Court specifically directed the competent authority to take a decision. No material is placed on record to show that the Regional Transport Officer is not competent to pass the order. Further aggrieved by the order of rejection, petitioner filed WP.No.4406 of 2020 and said writ petition is pending. Since the order is already passed even before contempt is filed and the same is subject

matter of challenge in pending writ petition, this Contempt Case is closed. Pending miscellaneous petitions, if any, shall stand closed.

SD/- CH. VENKATESWARLU
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. Shri M.R.M. Rao Transport Commissioner, Transport Bhavan, Khairatabad, Hyderabad 500004
2. P. Ravinder, Regional Transport Authority, Rep by its Secretary, Uppal, Medchal District.
3. B. Srinivas, Licensing officer, Asst Secretary to RTA Uppal, Medchal District.
4. One CC to Sri. V. Srikantha Rao, Advocate [OPUC]
5. Two CCs to GP for Transport (TG), High Court for the State of Telangana. [OUT]
6. Two CD Copies
7. One Spare Copy

VM
TP

HIGH COURT

DATED: 11/06/2021

ORDER
CC.No.549 of 2020



CLOSING THE CONTEMPT CASE

⑨ VW
9/7/21