

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

**MONDAY, THE THIRTIETH DAY OF DECEMBER
TWO THOUSAND AND TWENTY FOUR**

PRESENT

THE HON'BLE SMT. JUSTICE T. MADHAVI DEVI

CONTEMPT CASE No: 1266 of 2024

Contempt case filed under Sections 10 to 12 of Contempt of Courts Act 1971 for violation and wilful disobedience of the final orders of this Court dated 03-10-2023 in W.P.No.22139 of 2023.

Between:

Modala Upendraiah, D/o Venkataiah, Age: 33 years, Occ: Police Constable Trainee - Chest No. 467, R/o. H.No.6-14, Chetlamukunda Puram, Mdl Penpahad, Cheedella, Dist. Suryapet - 508223 Regd No. 1061037, SCT PC TSPF

...Petitioner/Petitioner

AND

1. The Director General, Dr Anil Kumar, I.P.S, Special Protection Force, Secunderabad.
2. Ravi Gupta, IPS, The State of Telangana rep. by its Principal Secretary to Govt., Home Department, BRKR Bhavan, Hyderabad, Telangana 500 063.

(R2 impleaded as per Court Order dated 14-08-2024 in IA No.1 of 2024 in CC No.1266 of 2024).

...Contemnor/Respondent No.2

Counsel for the Petitioner: M/s. Ramesh Chilla

Counsel for the Respondent No.1: ADDITIONAL ADVOCATE GENERAL

The Court made the following: ORDER

THE HONOURABLE SMT. JUSTICE T. MADHAVI DEVI

CONTEMPT CASE No.1266 OF 2024

ORDER:

This Contempt Case is filed seeking punishment to the respondents under Sections 10 to 12 of the Contempt of Courts Act, for violation and wilful disobedience of the final orders of this Court dated 03.10.2023 passed in W.P.No.22139 of 2023 and to pass such other order or orders.

2. This Court, *vide* order dated 03.10.2023 in W.P.No.22139 of 2023 had set aside the impugned memos in the writ petition, i.e., 14.07.2023 and 19.07.2023, rejecting the representations of the petitioners (i) for sanction of medical leave and (ii) for sending him for the Induction Training Program and directed the respondents to reconsider the matter on medical and sympathetic grounds and to pass appropriate orders thereafter for sending the petitioner to the Induction Training Program. In spite of the direction of this Court to take a decision within a period of two weeks from the date of receipt of a copy of the order, the respondents did not pass any orders. Therefore, the Contempt Case has been filed on 03.07.2024.

3. However, after receipt of notices in the contempt case, the respondents have rejected the representations of the petitioner *vide* memo dated 24.09.2024 and the copy of the same is filed before this Court and submitted that the orders of this Court have been complied with.

4. Learned counsel for the petitioner submitted that the memo dated 24.09.2024 is in clear violation of the directions of this Court. Therefore, there is clear contempt by the authorities.

5. The Officer, who has passed the memo dated 24.09.2024, has also been made as party respondent in the Contempt Case.

6. This Court finds that in spite of the directions from this Court to consider the case of the petitioner sympathetically and to verify the medical certificates, the representations of the petitioner have been rejected by the authorities. The said memo cannot be challenged in the Contempt Case. The correctness or otherwise of the memo would have to be challenged by the petitioner in appropriate proceedings. As far as compliance with the direction of this Court is concerned, this Court is of the opinion that there is no wilful contempt of the directions of this Court.

7. The Contempt Case is accordingly closed with liberty to the petitioner to challenge the memo dated 24.09.2024, if he so chooses.

There shall be no order as to costs.

Pending miscellaneous petitions, if any, shall also stand dismissed.

Sd/- K. SAILESHI
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. One CC to M/s. Ramesh Chilla, Advocate [OPUC]
2. Two CCs to the ADVOCATE GENERAL, High Court for the State of Telangana at Hyderabad [OUT]
3. Two CD Copies

kam/gh

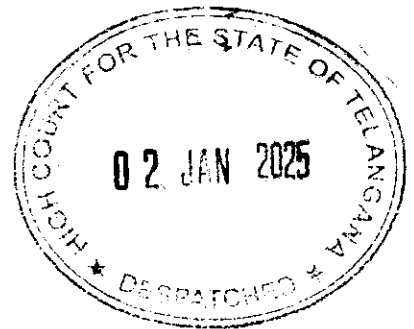


HIGH COURT

DATED:30/12/2024

ORDER

CC.No.1266 of 2024



**THE CONTEMPT
CASE IS CLOSED**

⑥
02/01/25
KRS