

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

**MONDAY, THE FIFTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY FOUR**

PRESENT

THE HONOURABLE SRI JUSTICE N.V.SHRAVAN KUMAR

CONTEMPT CASE NO: 2687 OF 2023

Contempt Case under Sections 10 to 12 of Contempt of Courts Act 1971
praying that in the circumstances stated in the affidavit file herein the High Court
may be pleased to summon the respondent/contemnor herein and punish him
suitably for deliberate disobedience, and violating the orders dated 29-08-2023
passed in W.P.No.23439 of 2023.

Between:

Smt. M. Vanaja, W/o Sri M. Krishna, Aged about 47 Years, Occ; House Wife,
R/o H. No. 7-1-414/39, East Srinivasa Nagar, Ameer Pet, Hyderabad-38.

**...Petitioner/
Respondent No.3 in WP**

AND

Sri D. Jagan, S/o Not Known, Deputy Commissioner, Circle No. 17,
Khairatabad, G.H.M.C., Hyderabad.

...Respondent/Contemnor

Counsel for the Petitioner: Sri. K. Ramachandra

Counsel for the Respondent: Sri. K. Siddharth Rao

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE N.V.SHRAVAN KUMAR

CONTEMPT CASE NO.2687 OF 2023

ORDER:

This Contempt case is filed by the petitioner seeking the following prayer:-

"to summon the respondent/contemnor herein and punish him suitably under Sections 10 to 12 of Contempt of Courts Act, 1971 for deliberate disobedience, with an inattentiveness and willful violation of official respondent for not implementing the Order of this Honourable Court vide W.P.No.23439 of 2023 dated 29.08.2023".

2. It is submitted by the learned counsel for the petitioners that though there is a specific direction to the writ petitioners in W.P.No.23439 of 2023 and also to the official respondents to submit explanation and to consider the same, respectively, both, writ petitioners and the respondent authorities, have ignored to comply with the order dated 29.08.2023 passed in W.P.No.23439 of 2023 by this Court. Hence, the present contempt case.

3. On the other hand, on behalf of the respondent, counter affidavit has been filed, inter alia, stating that the respondent authorities are only concerned with the illegal and unauthorized construction being constructed by the petitioner herein in the subject property without any permission from GHMC.

Since, the petitioners filed in O.S.No.3682 of 2023 on the file of the learned IV Junior Civil Judge, City Civil Court, Hyderabad and obtained interim status-quo order dated 21.08.2023 passed in I.A.No.1515 of 2023, the respondent authority will take necessary action on the illegal construction of shutters in front of H.No.7-1-619/A/6, Gayatri Nagar, East Srinivas Nagar, Ameerpet, Hyderabad, after vacating of the interim status-quo passed in the said civil case, and as such explanation submitted by the petitioner dated 29.12.2023 was disposed of, the respondent Corporation has complied with the order dated 29.08.2023 passed in W.P.No.23439 of 2023 by this Court by considering the explanations submitted by the petitioners in W.P.No.23439 of 2023 by conducting hearing and by passing hearing order dated 18.01.2024.

4. Heard the learned counsel on either side and perused the material made available on record.

5. On perusal of the record, it is noticed that subsequent to the order passed by this Court on 29.08.2023 in W.P.No.23439 of 2023, wherein while granting stay of operation of speaking order dated 04.08.2023 for a period of four weeks, petitioners were directed to submit their explanation to the show cause notice dated 11.07.2023 within a period of one (1) week from the date of

receipt of a copy of the order and upon any such explanation, the respondent authorities were directed to consider the same and pass orders within a period of two (2) weeks from the date of explanation and communicate the same to the petitioners.

6. In view of the same, since the respondent authority have already initiated the action by passing the hearing order dated 18.01.2024, in compliance with the order dated 29.08.2023 passed in W.P.No.23439 of 2023, this Court do not find any willful or deliberate violation.

7. Accordingly, this Contempt Case is closed. However, this order does not preclude the parties to pursue their remedies before the appropriate forum if any litigation is pending.

Miscellaneous applications, if any, pending in this contempt case, shall stand closed.

Sd/- CH. VENKATESWARLU
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. One CC to Sri. K. Ramachandra, Advocate [OPUC]
2. One CC to Sri. K. Siddharth Rao, Advocate [OPUC]
3. Two CD Copies

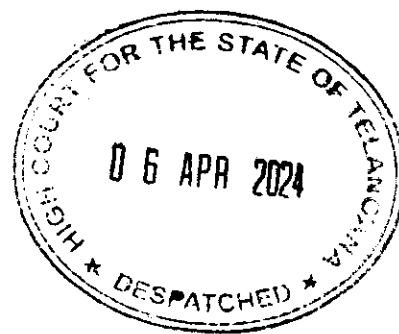
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**HIGH COURT
DATED:05/02/2024**

ORDER

CC.No.2687 of 2023



CLOSING THE CONTEMPT CASE

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