

THE HON'BLE SHRI JUSTICE ANIL KUMAR JUKANTI

CONTEMPT CASE Nos.3482 AND 3483 OF 2026

% Dated: 27.07.2026

C.C.No.3482 of 2026

M/s. Shanta Sriram Constructions
Private Limited, a company incorporated
under the Companies Act and represented
by its Managing Director M. Narasaiah,
Having its registered office at H.No.6-3-1112,
Flat No.501, Oasis Centre, Begumpet, Hyderabad

.. Petitioner

And

AV Ranganath, IPS, S/o. not known to
petitioner, Aged Major, Occ: Commissioner,
Hyderabad Disaster Response and Assets
Protection Agency (HYDRAA), 6th and 7th Floor,
Buddha Bhavan, Lower Tank Bund, Hyderabad

.. Respondent

! Counsel for petitioner : Mr. Hareesh Kumar

^ Counsel for respondent : Learned Advocate General representing
R. Sameer Ahmed, learned counsel

<GIST:

> HEAD NOTE:

? Cases referred

1. (2025) 5 SCC 1
2. (2009) 4 SCC 213
3. (2003) 11 SCC 1
4. (2002) 4 SCC 21
5. 2024 SCC OnLine SC 2493
6. 2024 SCC OnLine SC 3727
7. SLP (Civil) No.34892 of 2014
8. 1985 SCC OnLine AP 13
9. Suo motu Contempt Petition No.301 of 2003,
Writ Petition (Civil) 202 of 1995
10. 2025 SCC OnLine SC 1252
11. 2025 SCC OnLine SC 1105

HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

THE HON'BLE SHRI JUSTICE ANIL KUMAR JUKANTI

CONTEMPT CASE Nos.3482 AND 3483 OF 2026

DATE OF ORDER : 27.07.2026

CONTEMPT CASE No.3482 OF 2026

Between:

M/s. Shanta Sriram Constructions
Private Limited, a company incorporated
under the Companies Act and represented
by its Managing Director M. Narasaiah,
Having its registered office at H.No.6-3-1112,
Flat No.501, Oasis Centre, Begumpet, Hyderabad

.. Petitioner

AND

AV Ranganath, IPS, S/o. not known to
petitioner, Aged Major, Occ: Commissioner,
Hyderabad Disaster Response and Assets
Protection Agency (HYDRAA), 6th and 7th Floor,
Buddha Bhavan, Lower Tank Bund, Hyderabad

.. Respondent/contemnor

PRAYER:

C.C.No.3482 of 2026 is filed with the following prayer:

“... a) Punish the Respondent/Contemnor under Sections
10 to 12 of the Contempt of Courts Act, 1971, for their

willful, deliberate and contumacious disobedience of the Order passed in Contempt Case No.2448 of 2026 in Contempt Case No.958 of 2021 in W.P. No. 5049 of 2016, dated 10.06.2026 by His Lordship the Hon'ble Sri Justice ANIL KUMAR JUKANTI;

b) Direct the Respondent/Contemnor, to forthwith restore the Subject Land admeasuring Ac.40-00 Guntas forming part of Survey Nos.1 and 2 of Lothukunta Village, Malkajgiri Mandal, Medchal-Malkajgiri District (formerly Ranga Reddy District), to the state and condition existing immediately prior to 17.07.2026, by undoing each and every act of demolition and destruction perpetrated in brazen violation of this Hon'ble Courts Order dated 10.06.2026 in CC.No.2447 and 2448 of 2026, so as to enable resumption of lawful construction activity, forthwith and in no event later than 24 twenty four hours and upon failure to comply within the stipulated period, the Petitioner be granted liberty to undertake restoration works, with all costs, charges and expenses incurred therein being quantified and recovered from the Respondent/Contemnor personally and/or from the departments/agencies represented by him and further direct the Respondent/Contemnor and all persons acting under his authority to forthwith cease and desist from causing any further interference with the Petitioner's possession and enjoyment of the Ac.40-00 Guntas forming part of Survey Nos.1 and 2 of Lothukunta Village, Malkajgiri Mandal, Medchal-Malkajgiri District (formerly Ranga Reddy District);

c) and pass such other order or orders..."

C.C.No.3483 of 2026 is filed with the following prayer:

"... a. Punish the Respondent/Contemnor under Sections 10 to 12 of the Contempt of Courts Act, 1971, for their willful, deliberate and contumacious disobedience of the Order passed in Contempt Case No.2447 of 2026 in Contempt Case No.993 of 2021 in W.P. No. 5049 of 2016, dated 10.06.2026 by His Lordship the Hon'ble Sri Justice ANIL KUMAR JUKANTI;

b. Direct the Respondent/Contemnor, to forthwith restore the Subject Land admeasuring Ac.40-00 Guntas forming part of Survey Nos.1 and 2 of Lothukunta Village, Malkajgiri Mandal, Medchal-Malkajgiri District (formerly Ranga Reddy District), to the state and condition existing immediately prior to 17.07.2026, by undoing each and every act of demolition and destruction perpetrated in brazen violation of this Hon'ble Courts Order dated 10.06.2026 in CC.No.2447 and 2448 of 2026, so as to enable resumption of lawful construction activity, forthwith and in no event later than 24 twenty four hours and upon failure to comply within the stipulated period, the Petitioner be granted liberty to undertake restoration works, with all costs, charges and expenses incurred therein being quantified and recovered from the Respondent/Contemnor personally and/or from the departments/agencies represented by him and further direct the Respondent/Contemnor and all persons acting under his authority to forthwith cease and desist from causing any further interference with the Petitioner's possession and enjoyment of the Ac.40-00 Guntas forming part of Survey Nos.1 and 2 of Lothukunta Village, Malkajgiri Mandal, Medchal-Malkajgiri District (formerly Ranga Reddy District);

c. and pass such other order or orders..."

Heard Mr. M.Hareesh Kumar, learned counsel for petitioner and learned Advocate General representing R. Sameer Ahmed, learned counsel for respondent/contemnor in both the contempt cases.

COMMON ORDER:

It is an apt case to refer to the story of Greek mythology, where a serpentine water monster, by name, 'Hydra', a

symbol of resilience and regeneration, posed challenges that seem insurmountable to any, who tried to conquer it. This Hydra of Greek mythology is traditionally depicted as a gargantuan serpent with numerous heads. The distinctive and daunting trait of remarkable regenerative ability made the Hydra (of Greek mythology) nearly invincible to those, who attempted to conquer it, but was ultimately slayed.

2. I hope HYDRAA i.e., Hyderabad Disaster Response and Assets Protection Agency (for short, 'the HYDRAA') is not under the same impression that it is invincible.

3. If Courts were to permit HYDRAA to overpower/overtake every formidable adversary i.e., citizens of State, by not adhering to *Rule of Law*, then it would sound a death knell to *Rule of Law*.

4. Hope, HYDRAA will learn that acts in defiance to *Rule of Law* will not be upheld and such acts will be dealt sternly by Courts of Law, as the Hydra in Greek mythology was dealt with by Hercules.

5. **Case History:**

This case has a long history. Petitioner in these contempt cases preferred a Writ Petition bearing No.5049 of 2016, subject matter in the writ petition pertained to an extent of Acs.40.00 of land in Survey Nos.1 and 2 of Lothukunta Village, Malkajgiri Mandal, Ranga Reddy District. Writ petition was adjudicated along with C.R.P.No.406 of 2021, the respondent - State suffered an order.

6. A Writ Appeal bearing No.150 of 2021 was preferred by the State against the order of learned Single Judge. In the Writ Appeal, liberty was sought to approach Civil Court for filing a suit, Writ Appeal was disposed of granting liberty.

7. O.S.No.55 of 2021 was preferred by the State before a competent Civil Court. An application was filed under Order VII Rule 11 (d) of Code of Civil Procedure, 1908 (for short 'C.P.C.') by the petitioner herein, it was allowed by the I Additional Chief Judge, City Civil Court at Secunderabad.

8. A City Civil Court Appeal bearing No.49 of 2022 was preferred by the State against the judgment and decree of the trial Court, a Division Bench of this Court by its judgment dated 07.10.2025 dismissed the appeal preferred by the State.

9. *Judgment of Division Bench attained finality, State did not challenge the judgment of Division Bench till date. Title claimed in respect of subject property by petitioner is upheld by Courts and remains to be of petitioner till date.*

10. *Two contempt cases were filed prior to the present contempt case(s). 1st contempt case(s) was closed on an assurance that the respondents in contempt case(s) would comply with the Court's order dated 08.03.2021 in W.P.No.5049 of 2016.*

11. *In the 2nd contempt case(s), an undertaking was given to the Court and Court restrained respondent and its staff **not** to enter the subject premises.*

12. **On HYDRAA:**

Birth of HYDRAA is traceable to G.O.Ms.No.99, dated 19.07.2024, as a separate department (Head of Department) under Municipal Administration and Urban Development. Commissioner, HYDRAA (rank of Secretary) is to function under overall supervision and guidance of Principal Secretary to Government, Municipal Administration and Urban Development Department.

13. Functions and responsibilities of HYDRAA are spelled out in G.O.Ms.No.99, dated 19.07.2024. By another G.O.Ms.No.191, Municipal Administration & Urban Development (GHMC.I) Department, dated 16.10.2024, the Commissioner, HYDRAA (i.e., the contemnor/respondent herein) is empowered to protect the Public Assets like roads, drains, public streets, water bodies, open spaces, public parks, etc., belonging to the GHMC or to the State Government, within the jurisdiction of GHMC, so as to preserve them from any kind of illegal encroachments, for the

purpose of disaster management and protection of public assets.

14. No doubt, the objective of the G.Os., issued seems to be laudable, but any overreach by the authorities in a zeal to protect the public assets would only have an impact on its functioning.

15. **Proceedings Before Various Courts upto CCCA:**

W.P.No.5049 of 2016 was filed by the petitioner herein along with Civil Revision Petition bearing No.406 of 2021. The following is the prayer in writ petition:

“...to issue a Writ of Certiorari or any other appropriate writ and quash the impugned proceedings of the 4th respondent bearing Proc.No.B/3701/2015 dated 13.2.2016 and C/2835/2013 dated 13.11.2015 and direct the respondents not to interfere with the possession and enjoyment of the petitioner over the subject land situated in Sy.Nos.1 and 2 of Lothukunta Village, Malkajgiri Mandal, Ranga Reddy District ...”

16. By order dated 08.03.2021, a learned Single Judge of this Court allowed the writ petition with costs and disposed of

the civil revision petition without costs. The relevant portion of the order is as follows:

“117. Accordingly,

(a) the Writ Petition is allowed;

(b) the impugned proceedings of respondent nos.3 and 4 in Proc.No.8/3701/2015 dt.13.02.2016 & C/2835/2013, dt. 13.11.2015 under the A.P. Land Encroachment Act, 1905, are declared as without jurisdiction, null and void and are set aside;

(c) the respondents are directed to restore possession of the land admeasuring Acs.40.00 in Survey Nos.1 and 2 of Lothkunta Village which the respondents claim to be in Tirumalgiri Mandal of Hyderabad District to the petitioner within four (04) weeks as they have taken possession of the said land from the petitioner pending the disposal of the appeal under Section 10 of the Act by the 3rd respondent;

(d) and the respondents shall not interfere with the possession and enjoyment of the petitioner over the said land unless, they obtain a decree from a competent civil court declaring the State's title to the said land, and also a decree for possession against the petitioner and his predecessors in title; and

(e) the respondents shall also pay costs of Rs.1 lakh to the petitioner within four (04) weeks from the date of receipt of copy of the order.

118. It is made clear that whatever observations are made in this order as regards the rival claims of the petitioner/it's predecessors-in-title are only for the limited purpose of deciding this Writ Petition and if the State approaches a Civil Court by filing a Civil Suit for declaration of it's title and for recovery of possession, the said suit shall be independently decided uninfluenced by observations made herein.

C.M.A.No.524 of 2020:

119. This CMA was tagged on to the above W.P.No.5049 of 2016 by administrative order dt.02.01.2021 of the Hon'ble Chief Justice as the subject matter of this Appeal is also the same parcel of land in Sy.Nos.1 and 2 of Lothkunta Village, Malkajgiri Mandal, Ranga Reddy District.

120. The Appeal is filed by the petitioner in W.P.No.5049 of 2016 challenging order dt.23.12.2020 in I.A.No.553 of 2020 in O.S.No.52 of 2020 passed b1, the XII Additional Chief Judge, City Civil Court, Secunderabad.

121. The said suit had been filed by the appellant for a perpetual injunction restraining the respondent in the CMA from interfering with the peaceful possession and enjoyment by the appellant/plaintiff of the above land in Sy.Nos.1 and 2 of Lothkunta Village, Malkajgiri Mandal, Ranga Reddy District.

122. In the said suit, the appellant/plaintiff had filed I.A.No.553 of 2020 under Order XXXIX Rules 1 and 2 CPC for a temporary injunction restraining the respondent from interfering with the alleged peaceful possession and enjoyment of the appellant/plaintiff in respect of the above property.

123. In the said IA, the Court below initially ordered on 02.12.2020 urgent notice and posted the matter to 09.12.2020. Since the Presiding Officer of the Court of the XII Additional Chief Judge was on leave, it was adjourned to 29.01.2021.

124. Grant of this adjournment was challenged by the appellant by filing C.R.P.No.1305 of 2020.

125. On 18.12.2020, this Court directed the Court below to decide I.A.No.553 of 2020 on or before 07.01.2021 after hearing both sides or even consider granting an ex parte interim order if the circumstances so warrant.

126. Thereafter, on 23.12.2020 the Court below took up the matter and pointed out that except one document, all the other documents filed by the appellant/plaintiff are only photo copies and not originals. The Court therefore called upon the appellant/plaintiff to comply with Section 65 of the Evidence Act, 1872 in order to receive the said photo copies of other documents.

127. Aggrieved thereby, the appellant has filed the present Appeal.

128. Though the said order passed on 23.12.2020 by the Court below cannot be said to be an order refusing temporary injunction, which order would have been appealable under Order XLIII Rule 1 CPC, I am inclined to exercise powers under Article 227 of the Constitution of India and treat this Civil Miscellaneous Appeal as a Civil Revision and dispose it of.

129. Since there is a direction given in this order itself to the respondents in W.P.No.5049 of 2016 to restore possession of the above property to the appellant/plaintiff, and since the counsel for the respondent in this CMA fairly stated that his client was promised by the Tahsildar, Tirumalgiri Mandal that this land will be allotted to him by way of assignment, and that he has no other independent claim to the subject property, the claim of the respondent cannot be accepted in view of the finding that proceedings for eviction initiated against the appellant under the A.P. Land Encroachment Act, 1905 are without jurisdiction. The Court below is directed to take note of these developments and pass orders in I.A.No.553 of 2020 within two (2) weeks from the date of receipt of a copy of this order.

130. Registry shall convert the CMA into a Revision under Art.227 of the Constitution of India and the said Revision is disposed of as above. No costs.”

17. W.A.No.150 of 2021 was preferred challenging the order dated 08.03.2021 and the writ appellate Court by its order dated 02.07.2021 held as follows:

“This order is in continuation of the order passed on 21.06.2021 on which date, Mr. Harender Pershad, learned Special Government Pleader had sought time to obtain instructions from the Department as to whether the State proposes to institute a civil suit in respect of the subject land. Today, he submits that he has instructions to state that the present appeal may be disposed of with liberty to the appellants/State to approach the Civil Court and file a civil suit for claiming title and possession of the subject land.

2. Learned counsel for the appellants however requests that operation of the impugned order passed by the learned Single Judge directing the appellants to restore the subject land, may be stayed till the appellants take steps to approach the trial court by filing a suit. He clarifies that the subject land is presently a vacant parcel of land, which is under the control of the Tahsildar.

3. In view of the submission made hereinabove, leave as prayed for, is granted. The present appeal is disposed of along with the pending applications, if any. The operation of the impugned order shall remain stayed for a period of four weeks reckoned from today to enable the appellants to seek appropriate legal recourse. It is however made clear that the aforesaid protection granted to the appellants shall not be construed as an observation on the merits of the suit that the appellants propose to institute. The learned trial court shall be at liberty to pass appropriate orders on the stay application that may be filed by the appellants along with plaint, uninfluenced by the order passed above.”

18. Pursuant to liberty granted in W.A.No.150 of 2021, O.S.No.55 of 2021 was preferred by the State before I Additional Chief Judge, City Civil Court at Secunderabad. The trial Court by order dated 19.04.2022 in I.A.No.306 of 2022 (I.A. filed under Order VII Rule 11 R/w 35A and 151 of C.P.C., praying to reject the plaint as barred by law and does not disclose any subsisting cause of action) in O.S.No.55 of 2021 held as follows:

“... (w) This court has carefully examined the rival contentions. A reading of the plaint would show that the cause of action as stated in the narration of the plaint and the averments specifically stated under the paragraph dealing with cause of action are at variance. Apart from the digital extract of GLR register, no other document has been referred to in the plaint to show that the respondents/ plaintiffs state exercised its right as owners of the suit land from 1945 to till the date of passing orders under AP Land Encroachment Act by the Tahsildar, Thirumalgiri on 05.12.2013.

(x) If the land in question was a Government land there was no need for the respondents/plaintiffs state to initiate land acquisition proceedings and pay compensation to the predecessors in title of the petitioner/defendant. If such land acquisition proceedings are not according to the law and obtained by fraud, the respondents/plaintiffs state ought to have initiated action against the erring officers of the state and also initiated proceedings for the recovery of amount paid towards compensation, but there is no whisper in the pleadings of the plaint about initiating any such action by the respondents/plaintiffs state. Except vague

assertion of misrepresentation there is no material details in the plaint and such vague assertions are not sufficient to disbelieve the title of the petitioner/defendant and his predecessors in title. Therefore, this court is of the considered opinion that the respondents/plaintiffs state is barred under law of limitation from making a claim contrary to the award passed under land acquisition Act and the same are binding on the respondents/plaintiffs, as the said awards remained unchallenged all these 36 years. Therefore, the suit is hopelessly barred by the law of limitation and the same is not maintainable and the plaint is liable to be rejected U/Order VII Rule 11 (d) of CPC. As a sequel the status-quo order passed in IA.No.955/2021 dt.04.10.2021 is vacated. Thus, this point is answered accordingly in favour of petitioner.

6. In the result, the petition is allowed, but in the circumstances without any costs.”

19. The unsuccessful plaintiff (State) preferred an appeal before a Division Bench of this Court bearing City Civil Court Appeal No.49 of 2022. The Division Bench in its judgment dated 07.10.2025 held as follows:

“VII. CONCLUSION:

30. In the light of the aforesaid discussion, this Court is of the considered opinion that the impugned order passed by the Trial Court is well reasoned and based upon the due appreciation of material available on record. The appellants failed to show as to how the findings of the Trial Court are illegal and perverse.

31. Therefore, we are of the considered opinion that the plaintiff-State is barred under law of limitation from making a claim contrary to the award passed under land acquisition Act and the same is binding on the

plaintiffs, as the said awards remained Unchallenged all these 36 years. As such, the suit is hopelessly barred by the law of limitation and the same is not maintainable and the plaint is liable to be rejected under Order VII Rule 11 (d) of CPC. Thus, we are of the opinion that the impugned order does not suffer from any infirmity or illegality and thereby the appellants/plaintiffs failed to establish any of the grounds so as to interfere with the impugned order. Hence, the appeal is devoid of merits and liable to be dismissed.

VIII. RESULT:

32. In the result, the appeal is dismissed. In the circumstances of the case, there shall be no order as to costs.”

20. *The judgment of the Division Bench of this Court attained finality, no challenge is laid to it till date, thus, title claimed by petitioner to the subject property remains to be of petitioner till date.*

21. **HYDRAA not a party to the proceedings before the Courts:**

HYDRAA was never arrayed as a party to any of the proceedings before the Courts till the 2nd contempt case.

22. In W.P.No.5049 of 2016, the Principal Secretary, Revenue Department, District Collector, Hyderabad, and two

other revenue officials, were arrayed as party respondents by the petitioner.

23. In W.A.No.150 of 2021, the Principal Secretary, Revenue Department, along with three others, were appellants.

24. In the suit bearing O.S.No.55 of 2021, the Principal Secretary, Revenue Department, along with three others, were plaintiffs.

25. In C.C.C.A.No.49 of 2022, the plaintiffs were the appellants.

26. *HYDRAA is not arrayed as a party in any of the proceedings supra.*

27. **Contempts: First Contempt:**

In the 1st contempt case(s) filed bearing Nos.958 and 993 of 2021 in W.P.No.5049 of 2016, the respondents/contemnors are two District Collectors, Revenue Divisional Officer, Tahsildar and Sub-Registrar. This Court passed an

order on 09.01.2026, the following is the relevant portion of the order:

“These contempt cases are filed alleging disobedience of the order dated 08.03.2021 passed in W.P.No.5049 of 2016.

2. Learned counsel for petitioner submitted across the Bar that pursuant to filing of the contempt cases, the respondent authorities initiated steps in compliance of the orders of the Court in W.P.No.5049 of 2016, dated 08.03.2021.

3. Learned counsel for petitioner in both the contempt cases filed a letter dated 31.12.2025 in the Registry seeking permission to withdraw the contempt cases with liberty to avail remedies in accordance with law, if the respondents fail to comply to the directions of the Court (in both the contempt cases). The contents of the letter dated 31.12.2025 in C.C.No.958 of 2021 are as follows:

“... That in view of the oral assurance given by the Respondents to comply with the order dated 08.03.2021 in W.P.No.5049 of 2016 as affirmed in W.A.No.150 of 2021 by order dated 02.07.2021, the petitioner seeks permission of this Hon’ble Court to withdraw C.C.No.958 of 2021.

Therefore, you are requested to list C.C.No.958 of 2021 on 05.01.2026 under the caption for Withdrawal.”

4. Learned Special Government Pleader appearing for respondents, on instructions, stated across the Bar that steps are being initiated to comply with the order(s) passed by this Court.

5. Recording the submissions made by the learned Special Government Pleader that the orders of this Court would be complied, this Court is inclined to close the contempt cases.

6. Contempt cases stand closed with liberty to the petitioner to avail remedies available under law, if the orders passed by this Court are not in compliance.”

28. *In the 1st contempt case(s), an oral assurance was given by the respondents that they would comply with the order dated 08.03.2021 in W.P.No.5049 of 2016.*

29. *Pursuant to oral assurance given, this Court had not initiated any proceedings in the contempt case.*

30. **Second Contempt:**

Till the filing of the 2nd contempt case(s), HYDRAA is not arrayed as a party to any of the proceedings before the Courts. HYDRAA surfaces on the screen, when it enters into the property of petitioner on the basis of a letter addressed by an organization styling itself as ‘Save The Rocks’. No notice is served on the petitioner, without serving any notice, the HYDRAA staff entered into the premises of the petitioner. There is no rationale for HYDRAA’s act of entering into petitioner’s property, without any notice. Aggrieved by the act

of the respondent/contemnor, the 2nd contempt case(s) was/were filed.

31. In the 2nd contempt case(s) filed bearing Nos.2447 and 2448 of 2026, the respondent/contemnor is Commissioner, HYDRAA (Sri A V Ranganath). This Court passed an order on 10.06.2026, the following is the relevant portion of the order:

“18. Learned Standing Counsel for HYDRAA, on instructions, fairly submits that offices and officers of HYDRAA henceforth would not venture into the property of petitioner. It is made clear that if the Law Officer of the State Government, on instructions, states in a Court of Law that they would abide by the order of the Court, then the State Government and its authorities are bound by it. Any violation would directly point a finger to the authorities that it is an act which cannot be condoned and would amount to a conduct which can be termed as contumacious conduct on the part of its authorities, who transgress the undertaking given. Nothing more needs to be penned.

19. It is not contemplated by the framers of the Constitution that two departments of a State would act in a manner detrimental to the interest of public or violate the law, when one of them is not a party to earlier proceedings before the Court, on the ground that the order of the Court is not directed towards them. It is settled principle of law that various departments of Government are its limbs and they must act in coordination.

20. This Court has no hesitation to hold that if any of the Law Offices of the Court through its officers i.e., Offices of Chief Law Officer of the State/Additional Advocate General's Office/Special Government Pleader's

Offices/Government Pleader's Offices/Assistant Government Pleaders/Standing Counsels, undertake that State authorities would comply with the orders passed by a Court of law, it would bind "every department", unless one of the departments has a grievance valid in law.

21. In the present case, the undertaking was not to interfere with the possession and enjoyment over the petitioner's subject land in Sy.Nos.1 and 2 of Lothukunta Village, Malkajgiri Mandal, Ranga Reddy District. This Court is of the opinion that the act of HYDRAA is a flagrant violation of the orders of this Court by the offices of HYDRAA. It is apparent that the offices of HYDRAA are of the notion that they are a Class Apart, I am afraid they are not so and they can't be, they are a part of governance and remain so. They are not super cops of governance (in their field), they cannot act beyond the purview of law.

22. Statement made by learned Standing Counsel, on instructions, that officers of HYDRAA shall henceforth not interfere in the subject property of petitioner is taken on record. The undertaking of the Standing Counsel, on instructions, is hereby recorded on behalf of the respondent and its offices that respondent HYDRAA staff or its officers of any cadre whatsoever shall not step into the property of the petitioner (it being a private property and any interference would be violative of Article 300A of the Constitution of India).

23. Having recorded the same, this Court queried the learned Standing Counsel for HYDRAA whether they would abide by the undertaking given to this Court. On instructions, learned Standing Counsel stated that officers and staff of HYDRAA would henceforth not enter into the petitioner's property.

24. Subject property is a private property, not Government land, as per the material on record. State Government or its authorities have no business to enter into a private property, having lost in the Forums/Courts. The arm of State Government, HYDRAA and its staff, are hereby directed not to violate the undertaking henceforth. They shall hereby restrain and not interfere in the

peaceful possession and enjoyment of the petitioner's subject property.

25. For reasons aforesaid, I.A.Nos.1 of 2026 in C.C.Nos.2447 and 2448 of 2026 are ordered and C.C.Nos.2447 and 2448 of 2026 stand closed. No order as to costs."

32. *In the 2nd contempt case(s), HYDRAA Commissioner was the respondent/contemnor. An undertaking was given to Court that officers and staff of HYDRAA would henceforth not enter into the petitioner's property. The Court directed HYDRAA and its staff to restrain and not interfere in the peaceful possession and enjoyment of the petitioner's subject property.*

33. *Pursuant to the undertaking given to this Court and also the restraining orders of the Court, this Court had not initiated any proceedings in the contempt case by taking a lenient view.*

34. **Reason for filing of Third Contempt Case(s):**

In spite of undertaking given to Court in the 2nd contempt case(s) and restraining directions of Court, respondent/ contemnor along with men, machinery and

police personnel entered the subject property of petitioner, without notice on 17/18.07.2026 and demolished the temporary structures on the premise that they sought to fence the property. Aggrieved by the acts of respondent/contemnor staff, 3rd contempt case(s) is/are filed.

35. Proceedings Before the Court in Third Contempt Case from 20.07.2026 till date:

On 20.07.2026, when the matter was taken up by this Court, the learned Standing Counsel for the respondent/contemnor was asked as to why the respondent/contemnor staff entered into the petitioner's property defying the Court's orders and not abiding by the undertaking given in the 2nd contempt case(s).

36. It was submitted that on the request of the revenue department, HYDRAA staff were present on the site to demarcate the property. That, the Mandal Surveyor was also present on the site. This fact is noted in the docket proceedings. No proceedings, no notice of the revenue

department nor any communication to demarcate the subject property are placed on record. When this Court queried the Revenue Divisional Officer (was present online) and the Mandal Revenue Officer present in the Court, as to any notice was issued to the petitioner, it was informed to the Court that no such notice was issued.

37. It defies the logic of this Court as to how and for what purposes, the revenue department has roped in the services of HYDRAA, when the property was declared to be the property of the petitioner by the competent Courts. It is settled principle that authorities have to issue notice to the respective parties, if they intend to take up any demarcation work, no such notice is issued, nothing is placed on record.

38. After perusing the photographs annexed, it was queried as to why so many police personnel along with vehicles and staff of HYDRAA including JCBs were present at the site, it was submitted that demarcation and fencing was being undertaken by the staff of HYDRAA and revenue department.

39. It is evident from these acts that the respondent/contemnor has willfully violated the undertaking given and has entered into the property of petitioner, in spite of this Court's directions not to step into the property. This is a clear violation of the Court's orders and non-compliance of the Court's orders.

40. On the day, when the respondent/contemnor was present in the Court at the request of Court, the respondent/contemnor tried to impress upon the Court that the Cantonment Board requested the respondent to protect the parcel of land. This statement is not in conformity with what has been stated by the revenue officials and the same is contrary. Learned Advocate General submitted that it is only to protect the parcel of Government land, the respondent/contemnor has taken steps.

41. This Court queried the learned Government Pleader for Home Department as to why F.I.R. copy was not made available to petitioner, when a case was registered against

petitioner, it was informed that F.I.R. copy can be downloaded from website. It defies the logic of this Court as to why a copy of F.I.R. was not given, when requested for a copy. Copy was made available in the open Court by the Government Pleader for Home. Submissions made on all the dates are part of the record (docket proceedings).

42. **Submissions by counsels:**

It is submitted by the learned counsel for petitioner that on the instructions of the respondent/contemnor, the officials of HYDRAA are interfering in the subject land of the petitioner on the premise that the land is in GLR No.255 and that GLR No.255 belongs to State Government. It is further submitted that on 18.07.2026, the respondent/contemnor caused HYDRAA officials to be sent to the subject land, in spite of the undertaking given to the Court. It is also submitted that the officials and staff of HYDRAA along with policemen have trespassed into the subject land, demolished the compound wall and the Blue tin sheets which were raised. It is pointed

out that it was a deliberate, willful act by the respondent/contemnor, in spite of Court orders.

43. It is submitted by learned counsel for petitioner that the photographs taken at the site on the day, when HYDRAA officials trespassed, depicts that the officers of HYDRAA along with staff and police personnel were present on the site. It is further submitted that a number of vehicles of HYDRAA (written with initials HYDRAA on the vehicles) were present at the site along with JCBs and other earthmovers. It is also submitted that pits were dug for demarcation. It is pointed out that the photographs clearly demonstrate the fact that the team of HYDRAA along with police personnel entered into the subject property of the petitioner in Survey Nos.1 and 2 and demolished the structures.

44. It is submitted that in spite of the undertaking given in Contempt Cases bearing Nos.2447 and 2448 of 2026 (10.06.2026) that officers and staff of HYDRAA would henceforth not enter the petitioner's property, the staff of

HYDRAA along with police personnel and revenue personnel entered into the petitioner's property, tried to raise the fence, in total violation of the undertaking given before the Court. That the acts of the staff of the office of respondent/contemnor constitute violation of Court orders. It is further submitted that the respondent/contemnor is guilty of non-compliance of the Court order/direction that the staff of HYDRAA would restrain from interfering in the peaceful possession and enjoyment of the petitioner's subject property.

45. Learned counsel for petitioner relied upon the judgment of the Hon'ble Apex Court in ***Directions in the matter of demolition of structures, In Re***¹ to buttress the contention that no demolition should be carried without a prior show cause notice under the prevailing local laws.

46. It is submitted by petitioner's counsel that the affidavit filed by respondent/contemnor does not speak of any acts of demolition of temporary structures nor any specific denial is

¹ (2025) 5 SCC 1

there. It is further submitted that petitioner was detained in the police station and an F.I.R. was registered. It is also submitted that a copy of F.I.R. was not even made available to the petitioner. It is pointed out that the damages to the structures have to be compensated by HYDRAA.

47. On the other hand, learned Standing Counsel appearing on behalf of the respondent/contemnor submitted that as per G.O.Ms.No.99, dated 19.07.2024, the respondent/contemnor office is under an obligation to protect parcel of Government land. It is further submitted that the land of the petitioner is noted in GLR No.243/255 and the said lands recorded in the said GLRs are Government lands falling under category B2. It is also submitted that a communication was received from the office of revenue department (RDO/MRO) to assist the revenue department in demarcating the land. The Mandal Surveyor of the revenue department was present at the site of the subject property. It is also submitted that only to protect

the Government land, HYDRAA had taken up the activity to fence the land.

48. **On Affidavits and On Apology:**

This Court directed the respondent/contemnor to file an affidavit explaining the acts of omission and commission. An affidavit is filed by the respondent/contemnor on 23.07.2026.

The contents of the affidavit are as follows:

- “1. It is submitted that the present affidavit is being filed in response to the contentions and allegations raised by the Petitioner in **I.A.No.3 of 2026** in CC 3483/2026.
2. It is submitted that the Respondent herein has neither interfered nor is interfering with forty (40) acres of land claimed by the Petitioner in Survey No. 1 and 2 of Lothkunta Village, Malkajgiri Mandal, Ranga Reddy District.
3. I hereby deny the entire allegations and facts asserted by the Petitioner from Paragraphs 3 to 16 of the affidavit filed in I.A.No.3 of 2026 in CC 3483/2026 filed by the Petitioner as false and baseless except those which are specifically admitted hereunder. The allegations, which are not specifically admitted hereunder, are deemed to be denied.
4. As the present Counter Affidavit is being filed at short notice, the Respondent respectfully seeks liberty to file a detailed additional Counter Affidavit to assist this Hon’ble Court in the effective adjudication of the matter.”

49. This Court, having perused the contents of the affidavit filed, expressed its displeasure and pointed out that the officer had not even tendered an apology. Time was sought for filing another affidavit.

50. An affidavit, dated 25.07.2026, is placed on record, the contents of the affidavit filed are as follows:

“1. I submit that the present affidavit is being filed in response to the contentions and allegations raised by the Petitioner in CC 3482/2026

2. I respectfully place my sincere apology before this Hon'ble Court for any act or omission on my part. I hold this Hon'ble Court in the highest esteem and have the utmost respect for its authority and dignity. This apology is tendered as a mark of my profound respect for this Hon'ble Court.

3. I submit that the Respondent herein has neither interfered nor is interfering with forty (40) acres of land claimed by the Petitioner in Survey Nos.1 and 2 of Lothkunta Village, Malkajgiri Mandal, Ranga Reddy District.

4. I hereby deny the entire allegations and facts asserted by the Petitioner from Paragraphs 2 to 39 of the affidavit filed in CC 3482/2026 filed by the Petitioner as false and baseless except those which are specifically admitted hereunder. The allegations, which are not specifically admitted, are deemed to be denied.

Therefore, in view of the above facts and circumstances of the case, it is prayed that this Hon'ble Court may kindly take the present affidavit on record, and maybe pleased to dismiss CC 3482/2026.”

51. On a perusal of the contents of both the affidavits, it is observed that at paragraph No.2 of the affidavit dated 25.07.2026, the respondent/contemnor has tendered an apology and stated that he neither interfered nor is interfering in the land of the petitioner. In the first affidavit filed on 23.07.2026, apology is not tendered.

52. It is trite to take note of the law laid down by the Hon'ble Apex Court on the aspect of apology. In **C.Elumalai and others v. A.G.L. Irudayaraj and another**², the Hon'ble Apex Court held as follows:

“... Apology is an act of contrition. Unless apology is offered at the earliest opportunity and in good grace, the apology is shorn of penitence and hence it is liable to be rejected. If the apology is offered at the time when the contemnor finds that the Court is going to impose punishment, it ceases to be an apology and becomes an act of a cringing coward.”

53. *Facts in the present case cannot go unconnected to the observations made by the Hon'ble Apex Court in C. Elumalai (2 supra). When this Court expressed its displeasure that no*

² (2009) 4 SCC 213

apology was tendered in the first affidavit filed on 23.07.2026, the contemnor tendered an apology in the second affidavit filed on 25.07.2026. Respondent/contemnor's act of tendering apology is the outcome of the Courts observation, apology tendered is not on his own volition. Such an apology apparently ceases to be in good grace, it is shorn of penitence and hence, apology tendered stands rejected.

54. **Analysis of the proceedings before the Court, Submissions made, On Affidavits filed and On Apology:**

On an analysis of the material available on record, the proceedings before this Court, the submissions made by the counsels and the contents of the affidavits filed by respondent/contemnor, it emerges that the staff of the HYDRAA along with men, machinery and police personnel entered the subject property of petitioner, demolished existing temporary structures raised by the petitioner, on the premise that the subject land is Government land, needs to be fenced and protected.

55. No document is placed on record to demonstrate that a request emanated from the office of concerned revenue department for the alleged fencing activity to be taken up at the behest of revenue department. There is nothing to suggest that notice is issued to the petitioner, no notice was issued to the petitioner by any of the authorities.

56. There is no specific denial of these facts nor there is any rebuttal in the affidavits filed. Detaining of petitioner and registering of an F.I.R. is also not denied.

57. *These facts are suffice to hold that the acts of respondent/contemnor amount to interference in the administration of justice and willful disobedience of Court orders. Such acts not only undermine the majesty of Courts, but also undermine the Rule of Law. Courts cannot turn a blind eye to the acts of authorities who flagrantly violate Court orders under one guise or the other for reasons best known to them. This Court has no hesitation to hold that the acts of respondent/contemnor constitute “willful, deliberate,*

intentional disobedience to the restraining orders of this Court and breach of an undertaking given”.

58. **Law On Contempt:**

It is trite to take note of the law declared by the Hon’ble Apex Court on the aspect of Contempt of Court in **C. Elumalai** (2 supra), wherein the Hon’ble Apex Court held as follows:

“From the above decisions, it is clear that punishing a person for contempt of court is indeed a drastic step and normally such action should not be taken. At the same time, however, it is not only the power but the duty of the Court to uphold and maintain the dignity of Courts and majesty of law which may call for extreme steps. If for proper administration of justice and to ensure due compliance with the orders passed by a Court, it is required to take strict view under the Act, it should not hesitate in wielding the potent weapon of contempt.”

59. The Hon’ble Apex Court in **C. Elumalai** (2 supra), took note of the Hon’ble Apex Court judgment in **Ashok Paper Kamgar Union v. Dharam Godha and others**³, which dealt with the concept of ‘willful disobedience’ of an order of the

³ (2003) 11 SCC 1

Court and extracted the content of the said judgment, which is as follows:

“It was stated that ‘willful’ means an act or omission, which is done voluntarily and with the specific intent to do something the law forbids or with the specific intent to fail to do something the law requires to be done, that is to say, with bad purpose either to disobey or to disregard the law. According to the Court, it signifies the act done with evil intent or with a bad motive for the purpose. It was observed that the act or omission has to be judged having regard to the facts and circumstances of each case.”

60. Further the Hon’ble Apex Court in **C. Elumalai** (2 supra), took note of the Hon’ble Apex Court judgment in **Anil Ratan Sarkar and others v. Hirak Ghosh and others**⁴ and extracted the relevant paragraph. which is as follows:

“In *Anil Ratan Sarkar and Ors. v. Hirak Ghosh and Ors.* (2002 (4) SCC 21), this Court held that the Contempt of Courts Act has been introduced in the statute-book for securing confidence of people in the administration of justice. If an order passed by a competent Court is clear and unambiguous and not capable of more than one interpretation, disobedience or breach of such order would amount to contempt of Court. There can be no laxity in such a situation because otherwise the Court orders would become the subject of mockery. Misunderstanding or own understanding of the Court's order would not be a permissible defence. It was observed that power to punish a person for contempt is undoubtedly a powerful weapon in the hands of Judiciary but that by itself

⁴ (2002) 4 SCC 21

operates as a string of caution and cannot be used unless the Court is satisfied beyond doubt that the person has deliberately and intentionally violated the order of the Court. The power under the Act must be exercised with utmost care and caution and sparingly in the larger interest of the society and for proper administration of justice delivery system. Mere disobedience of an order is not enough to hold a person guilty of civil contempt. The element of willingness is an indispensable requirement to bring home the charge within the meaning of the Act.”

61. In **Sitaram Enterprises v. Prithviraj Vardichand Jain**⁵, the Hon’ble Apex Court observed as follows:

“Disregarding a Court’s order may seem bold, but the shadows of its consequences are long and cold.”

Contempt of court is a serious legal infraction that strikes at the very soul of justice and the sanctity of legal proceedings. It goes beyond from mere defiance of a Court’s authority, but also denotes a profound challenge to the principles that underpin the rule of law.”

62. The Hon’ble Apex Court, while dealing with the aspect of Contempt, in **Celir LLP v. Sumati Prasad Bafna and others**⁶ held as follows:

“196. What can be discerned from the above exposition of law is that any act of disobedience, defiance, or any

⁵ 2024 SCC OnLine SC 2493

⁶ 2024 SCC OnLine SC 3727

attempt to malign the authority of the court would amount to contempt because they undermine the respect and trust that the public reposes in judicial institutions. The judicial process relies on the confidence of society, and any act that disrupts or disrespects this process threatens to erode the foundation of justice and order.

197. Contempt jurisdiction exists to preserve the majesty and sanctity of the law. Courts are the guardians of justice, and their decisions must command respect and compliance to ensure the proper functioning of society. When individuals or entities challenge the authority of courts through wilful disobedience or obstructive behaviour, they undermine the rule of law and create the risk of anarchy. Contempt serves as a mechanism to protect the integrity of the courts, ensuring that they remain a symbol of fairness, impartiality, and accountability.

198. When judicial orders are openly flouted or court proceedings are disrespected, it sends a signal that the rule of law is ineffective, leading to a loss of trust in the system. Judicial decisions must remain unimpaired, free from external pressures, manipulation, or circumvention. Acts that attempt to mislead the court, obstruct its functioning or frustrate its decisions distort the process of justice and would amount to contempt.

199. The contempt jurisdiction of this court cannot be construed by any formulaic or rigid approach. Merely because there is no prohibitory order or no specific direction issued the same would not mean that the parties cannot be held guilty of contempt. The Contempt jurisdiction of the court extends beyond the mere direct disobedience of explicit orders or prohibitory directions issued by the court. Even in the absence of such specific mandates, the deliberate conduct of parties aimed at frustrating court proceedings or circumventing its eventual decision may amount to contempt. This is because such actions strike at the heart of the judicial process, undermining its authority and obstructing its ability to deliver justice effectively. The authority of courts must be respected not only in the letter of their

orders but also in the broader spirit of the proceedings before them.

200. Any contumacious conduct of the parties to bypass or nullify the decision of the court or render it ineffective, or to frustrate the proceedings of the court, or to enure any undue advantage therefrom would amount to contempt. Attempts to sidestep the court's jurisdiction or manipulate the course of litigation through dishonest or obstructive conduct or malign or distort the decision of the courts would inevitably tantamount to contempt sans any prohibitory order or direction to such effect.

201. Thus, the mere conduct of parties aimed at frustrating the court proceedings or circumventing its decisions, even without an explicit prohibitory order, constitutes contempt. Such actions interfere with the administration of justice, undermine the respect and authority of the judiciary, and threaten the rule of law.

202. However, at the same time, the power of contempt ought to be exercised sparingly and with caution and care. It operates with a string of caution and unless otherwise satisfied beyond doubt, it would neither be fair nor reasonable for the courts to resort to such powers. The standard of proof required before a person is held guilty of committing contempt of court must be beyond all reasonable doubt.”

63. *What emerges from the law laid down by the Hon’ble Apex Court is that Contempt of Court is a serious legal infraction that strikes at the very soul of justice and the sanctity of legal proceedings. That when individuals or entities challenge the authority of Courts through willful disobedience*

or obstructive behaviour, they undermine the Rule of Law and create the risk of anarchy. Contempt serves as a mechanism to protect the integrity of the Courts, ensuring that they remain a symbol of fairness, impartiality, and accountability.

64. **On Restitutive Measures:**

Learned counsel for petitioner invited the attention of this Court to the judgment of the Hon'ble Apex Court in ***Directions in the matter of demolition of structures, In Re*** (1 supra) and submitted that when the acts of omission and commission of the officers are demonstrated, the damage which is caused has to be paid from his/their personal cost in addition to payment of damages.

65. It is trite to extract the relevant portions of the directions issued by the Hon'ble Apex Court in ***Directions in the matter of demolition of structures, In Re*** (1 supra), which are as follows:

“93. In order to allay the fears in the minds of the citizens with regard to arbitrary exercise of power by the

officers/officials of the State, we find it necessary to issue certain directions in exercise of our power under Article 142 of the Constitution. We are also of the view that even after orders of demolition are passed, the affected party needs to be given some time so as to challenge the order of demolition before an appropriate forum. We are further of the view that even in cases of persons who do not wish to contest the demolition order, sufficient time needs to be given to them to vacate and arrange their affairs. It is not a happy sight to see women, children and aged persons dragged to the streets overnight. Heavens would not fall on the authorities if they hold their hands for some period.

94. At the outset, we clarify that these directions will not be applicable if there is an unauthorized structure in any public place such as road, street, footpath, abutting railway line or any river body or water bodies and also to cases where there is an order for demolition made by a Court of law.

A: NOTICE

94.1. No demolition should be carried out without a prior show cause notice returnable either in accordance with the time provided by the local municipal laws or within 15 days' time from the date of service of such notice, whichever is later.

94.2. The notice shall be served upon the owner/occupier by a registered post A.D. Additionally, the notice shall also be affixed conspicuously on the outer portion of the structure in question.

94.3. The time of 15 days, stated herein above, shall start from the date of receipt of the said notice.

94.4. To prevent any allegation of backdating, we direct that as soon as the show cause notice is duly served, intimation thereof shall be sent to the office of Collector/District Magistrate of the district digitally by email and an auto generated reply acknowledging receipt of the mail should also be issued from the office of the Collector/District Magistrate. The Collector/DM shall

designate a nodal officer and also assign an email address and communicate the same to all the municipal and other authorities in charge of building regulations and demolition within one month from today.

94.5. The notice shall contain the details regarding:

- (a) the nature of the unauthorized construction.
- (b) the details of the specific violation and the grounds of demolition.
- (c) a list of documents that the noticee is required to furnish along with his reply.
- (d) The notice should also specify the date on which the personal hearing is fixed and the designated authority before whom the hearing will take place;

94.6. Every municipal/local authority shall assign a designated digital portal, within 3 months from today wherein details regarding service/pasting of the notice, the reply, the show cause notice and the order passed thereon would be available.

...

...

E. PROCEEDINGS OF DEMOLITION

94.14. The proceedings of demolition shall be video-graphed, and the concerned authority shall prepare a demolition report giving the list of police officials and civil personnel that participated in the demolition process. Video recording to be duly preserved.

94.15. The said demolition report should be forwarded to the Municipal Commissioner by email and shall also be displayed on the digital portal.

95. Needless to state that the authorities hereinafter shall strictly comply with the aforesaid directions issued by us.

96. It will also be informed that violation of any of the directions would lead to initiation of contempt proceedings in addition to the prosecution.

97. *The officials should also be informed that if the demolition is found to be in violation of the orders of this Court, the officer/officers concerned will be held responsible for restitution of the demolished property at his/their personal cost in addition to payment of damages.”*

66. To the same effect is the judgment of the Hon’ble Apex Court in ***Amit Kumar Das, Joint Secretary, Baitanik, a registered society v. Shrimati Hutheesingh Tagore Charitable Trust***⁷ on the aspect of restitutive measures.

67. The Hon’ble Apex Court in ***Amit Kumar Das, Joint Secretary, Baitanik, a registered society*** (7 supra), while dealing with the aspect of giving appropriate directions for remedying and rectifying the things done in violation of its orders, considered the following relevant cases at paragraph Nos.13 to 15, which are as follows:

“13. Now, a look at caselaw on the point. In ***Sudhir Vasudeva v. M. George Ravishekaran***, [reported in (2014) 3 SCC 373], a 3-Judge Bench of this Court

⁷ SLP (Civil) No.34892 of 2014

observed as under, in the context of exercise of contempt jurisdiction: -

“19. The power vested in the High Courts as well as this Court to punish for contempt is a special and rare power available both under the Constitution as well as the Contempt of Courts Act, 1971..... The very nature of the power casts a sacred duty in the Courts to exercise the same with the greatest of care and caution. This is also necessary as, more often than not, adjudication of a contempt plea involves a process of self-determination of the sweep, meaning and effect of the order in respect of which disobedience is alleged. The Courts must not, therefore, travel beyond the four corners of the order which is alleged to have been flouted or enter into questions that have not been dealt with or decided in the judgment or the order violation of which is alleged. Only such directions which are explicit in a judgment or order or are plainly self-evident ought to be taken into account for the purpose of consideration as to whether there has been any disobedience or willful violation of the same. Decided issues cannot be reopened; nor can the plea of (2014) 3 SCC 373 equities be considered. The Courts must also ensure that while considering a contempt plea the power available to the Court in other corrective jurisdictions like review or appeal is not trenched upon. No order or direction supplemental to what has been already expressed should be issued by the Court while exercising jurisdiction in the domain of the contempt law; such an exercise is more appropriate in other jurisdictions vested in the Court, as noticed above.....”

14. However, in **Baranagore Jute Factor PLC. Mazdoor Sangh (BMS) v. Baranagore Jute Factory PLC.**, [reported in (2017) 5 SCC 506], considering the aforestated precedent, a 2-Judge Bench of this Court noted that the 3-Judge Bench had clarified therein that directions which are explicit in the judgment or ‘are plainly self-evident’ can be taken into account for the purpose of considering whether there is any disobedience

or willful violation. The Bench further held that the Court has a duty to issue appropriate directions for remedying or rectifying the things done in violation of the Court order and in that regard, the Court may even take restitutive measures at any stage of the proceedings.

15. Significantly, the 2-Judge Bench had merely echoed the affirmation of the legal position by another 2-Judge Bench of this Court in **Delhi Development Authority vs. Skipper Construction Co. (P) Ltd.** [reported in (1996) 4 SCC 622]. The principle that a contemnor ought not to be permitted to enjoy and/or keep the fruits of his contempt was reiterated therein. Reference was made by the **Bench to Mohammad Idris vs. Rustam Jehangir Babuji** [reported in (1984) 4 SCC 216], wherein it was held that undergoing punishment for contempt would not mean that the Court is not entitled to give appropriate directions for remedying and rectifying the things done in violation of its orders. Therefore, the principle that stands crystallized by these judgments is that, in addition to punishing a contemnor for disobeying its orders, the Court can also ensure that such a contemnor does not continue to enjoy the benefits of his disobedience by merely suffering the punishment meted out to him.”

68. *Learned counsel for the petitioner submitted that the officer/officers concerned be held responsible for restitution of the demolished property at their personal cost in addition to payment of damages and appropriate directions be issued as per the law declared by the Hon’ble Apex Court in **Directions in the matter of demolition of structures, In Re** (1 supra). Having considered the material on record (photographs at the*

site) and the submissions made, this Court is not inclined to issues such directions.

69. **Governance & Courts:**

The three wings of the State i.e., Legislature, Executive and Judiciary, must strive to protect and preserve what is spelt out in Constitution. It is also the responsibility of the three wings to see that acts of arbitrariness are not perpetuated by any instrumentality of the State and that the *Rule of Law* is upheld.

70. Greater the power, greater is the need for restraint. Power vested in the executive in the sphere of administration is very vital. It is most dangerous when such power is used in an arbitrary and illegal manner as it affects the entire citizenry of State.

71. One of the measures to judge the democratic commitment of any Government, be it a State or the Union, is the respect it accords to the orders of the Court. The real

majesty of the Courts lies in the vibrant existence and effective functioning of the Courts and such vibrancy and effectiveness would be achieved by ensuring due implementation and strict obedience to the judgments and orders of the Court. The implementation of the judgments and orders of the Court is inextricably interwoven with the enforcement of the *Rule of Law*. It is a part of the observance of the *Rule of Law*.

72. The right of relief for a litigant consists in immediate and unfettered fructification of the judgments and orders of the Courts delivered in his favour. Litigant can only reap the fruits of the directions/orders of the Court only when such orders are implemented (in a timely manner). This is a right of a litigant/citizen, when right to approach the Court itself is recognized as a right.

73. **On Punishment in Contempt:**

Article 215 of the Constitution of India reads as follows:

“215 High Courts to be courts of record:

Every High Court shall be a court of record and shall have all the powers of such a court including the power to punish for contempt of itself.”

74. Rule 27 of the Contempt of Court Rules is as follows:

“Rule 27: The court may pass such orders as the justice of the case requires.”

75. In ***Kanadena Veeraiah and others v. Narra Venkateswarlu and others***⁸, a Division Bench of this Court considering Article 215 of Constitution of India and Rule 27 of the Contempt of Court Rules, while dealing with contempt, held as follows:

“17. From the foregoing discussion it emerges that the High Court, as a Court of Record, has undoubtedly inherent power as enshrined in Article 215 of the Constitution of India to punish for its contempt and to have all the powers of such a Court of record to pass orders in exercise of its inherent power to help the administration of justice, and

⁸ 1985 SCC OnLine AP 13

Rule 27 of the Contempt of Court Rules framed by this Court by virtue of the powers conferred under Section 23 read with Article 215 of the Constitution only reiterates what is enshrined in Art. 215 and is in conformity with the ratio laid down by the courts in the above mentioned cases.”

76. In **Re: Shri Pravakar Behera, D.F.O. Puri Division, Khurda, Orissa**⁹, a Three Judge Bench of the Hon’ble Apex Court held as follows:

“The respondent has tried to overreach this Court by violating the order dated 30th October, 2002 and is clearly guilty of contempt of court. Having regard to the facts above noted, we are unable to accept the apology tendered by the respondent. Having bestowed anxious consideration on the aspect of punishment, considering that respondent had joined as DFO only few days before grant of licences and it to being a case of first lapse on his part, **on the facts of the case, in our view the ends of justice would be met by reprimanding the respondent and by issue of a warning to him so that he will be careful in future so as not to repeat such an act and also by imposing on him heavy amount which can be utilized for protection of environments.** We order accordingly and impose a cost of Rs. 50,000/- which shall be deposited by the respondent in the Registry within four weeks. The suo motu petition is disposed of accordingly.”

77. In **Bindu Kapurea v. Subhashish Panda and others**¹⁰, the Hon’ble Apex Court held as follows:

⁹ Suo motu Contempt Petition No.301 of 2003, Writ Petition (Civil) 202 of 1995

¹⁰ 2025 SCC OnLine SC 1252

“E. CONCLUSION AND DIRECTIONS:

28. In light of the aforesaid analysis, we dispose of these Contempt Petitions, discharge the rule nisi and issue the following directions:

...

...

viii. Since the First Respondent was not an officer in the DDA cadre and is no longer holding any position in that organisation, we deem it appropriate to close the proceedings qua him. However, all other Respondents and officials of DDA found responsible by the internal inquiry for the acts leading to the present contempt are directed to deposit a sum of Rs. 25000 each as an environmental fee with the Forest Department, in addition to and without any prejudice to the departmental action that may be taken against them. This sum can be utilised towards the remedial measures sought to be undertaken, as the Committee deems fit. **Additionally, we direct that a formal penalty of censure be imposed upon all such officials.** Accordingly, the contempt proceedings against the Respondents are closed.”

78. The Hon’ble Apex Court in ***Tata Mohan Rao v.***

S.Venkateswarlu and others¹¹ held as follows:

“11. We could have taken a serious view of the matter. However, we are reminded of a well-established principle that the majesty of law lies not in punishing, but in forgiving.

12. While we are of the considered view that the appellant does not merit any leniency on account of his adamant and callous conduct, we find that his children and family should not suffer as a consequence of his actions.

¹¹ 2025 SCC OnLine SC 1105

13. If the appellant undergoes the original sentence of two months, under the relevant service rules, he would be immediately dismissed from his service thereby depriving his children and family of their livelihood.

14. In that view of the matter, we are inclined to confirm the conviction of the appellant, however, we are inclined to take a lenient view with respect to the sentence to be imposed on the appellant.

15. We hasten to add that though we are taking a lenient view, it is necessary for this Court to send a clear message that no one, howsoever high they may be, they are not above the law.

16. *When a Constitutional Court or for that matter, any court issues any direction, every person or authority regardless of rank, is duty bound to respect and comply with that order. Disobedience of the orders passed by the court attacks the very foundation of the rule of law on which the edifice of a democracy is based.*

17. In that view of the matter, we find that the ends of justice would be subserved if the conviction of the appellant is affirmed, however, the sentence of imprisonment imposed on him by the High Court is modified.

18. *We find that in order to send across the right message, the conviction under the Contempt of Courts Act, 1971 be confirmed, however, insofar as the sentence is concerned, the appellant shall suffer a reduction of one level in rank in the hierarchy of his service and shall also be liable to pay a heavy fine.*

19. We are informed that the appellant was promoted as a Deputy Collector in the year 31st October 2023.

20. We, therefore, partly allow the present appeals in the following terms:

i. The conviction of the appellant under the Contempt of Courts Act, 1971 is confirmed;

ii. Insofar as the sentence is concerned, we direct the State of Andhra Pradesh to revert the appellant to the post of Tehsildar. His seniority in the cadre of Tehsildar for further promotional avenues shall be considered only from 31st October 2023; and

iii. The appellant shall pay a fine quantified at Rs. 1,00,000/- (Rupees One Lakh only), which shall be deposited under the NTR Housing Scheme, Government of Andhra Pradesh within a period of four weeks from today. The proof of payment shall be submitted to the Registry of this Court.

21. Pending application(s), if any, stand disposed of.”

79. The sum and substance of Article 215 of the Constitution of India R/w Rule 27 of the Contempt of Court Rules and the law laid down by the Hon’ble Apex Court and Division Bench of this Court squarely point out that to meet the ends of justice, Court may pass such orders as the justice of the case requires.

80. Present contempt Case(s):

It is perfectly idle to say that the brazen acts of respondent/ contemnor coupled with contumacious conduct, evident from the material on record and on analysis of the

proceedings before the Court, submissions made, affidavits filed and the apology tendered (on Court observation), indicate respondent/contemnor's disregard and disrespect to *Rule of Law*. This Court cannot turn a blind eye to the fact that in 62 contempt cases, the respondent/contemnor is arrayed as a party (as per the information made available from the Registry).

81. There is no iota of doubt that acts of interference with administration of justice undermine the majesty of Courts and Rule of Law, such acts have to be dealt with firmly, no laxity can be shown. An olive branch cannot be lent to the respondent/contemnor, if lent, there is a clear risk of erosion of the unflinching faith of the citizens of the state reposed in Judiciary.

82. On the aspect of punishment, this Court is guided by the law laid down by the Hon'ble Apex Court in **Tata Mohan Rao** (11 supra), the following are the relevant portions of the judgment:

“11. We could have taken a serious view of the matter. However, we are reminded of a well-established principle that the majesty of law lies not in punishing, but in forgiving.

16. When a Constitutional Court or for that matter, any court issues any direction, every person or authority regardless of rank, is duty bound to respect and comply with that order. Disobedience of the orders passed by the court attacks the very foundation of the rule of law on which the edifice of a democracy is based.

18. We find that in order to send across the right message, the conviction under the Contempt of Courts Act, 1971 be confirmed, however, insofar as the sentence is concerned, the appellant shall suffer a reduction of one level in rank in the hierarchy of his service and shall also be liable to pay a heavy fine.

20 (ii). Insofar as the sentence is concerned, we direct the State of Andhra Pradesh to revert the appellant to the post of Tehsildar. His seniority in the cadre of Tehsildar for further promotional avenues shall be considered only from 31st October 2023; and

83. This Court cannot lose sight of the observation of the Hon’ble Apex Court that the ***“majesty of law lies not in punishing, but in forgiving.”*** The Apex Court in ***Tata Mohan Rao’s*** case (11 supra) reduced one level in rank in the hierarchy of service and levied a heavy fine, it directed the State to revert the appellant to the post of Tehsildar.

84. Having considered the totality of circumstances, the acts of respondent/contemnor which constitute *“willful,*

*deliberate, intentional disobedience to the restraining orders of this Court and breach of an undertaking given”, and the act of again venturing into the subject property of petitioner with men and machinery is unlawful. In the facts and circumstances of the case, being guided by the law laid down by the Hon’ble Apex Court in **Tata Mohan Rao’s** case (11 supra), this Court is of the considered opinion that the said officer is to be relieved from the post of Commissioner of HYDRAA in the interest of justice, to uphold the Rule of Law and the Majesty of Courts. The Chief Secretary of the State Government is requested to find a suitable replacement of the officer, as early as possible and the respondent/contemnor be relieved. This Court is conscious of the observations made in this order, in fact, deeply conscious.*

“Rule of Law has to prevail NOT Rule of Men.

If Rule of Men prevails, it’s a death knell for Democracy.

This is a classic case of Rule of Men trying to prevail over Rule of Law,

A fallacy which shall remain a Dream in a True Democracy like ours.”

85. These Contempt Cases stand closed in the above terms.

There shall be no order as to costs.

Miscellaneous Petitions, if any, pending shall stand closed.

ANIL KUMAR JUKANTI, J

Date: 27.07.2026

Note: 1. L.R. copy be marked.

2. Registry is directed to communicate a copy of this order to the office of Chief Secretary for the State of Telangana

B/o.
KH/KRR