

HON'BLE SMT. JUSTICE KONGARA VIJAYA LAKSHMI

Contempt Case No.206 of 2020

ORDER:

This contempt case is filed alleging violation of orders passed by this Court in WP No.3083 of 2019 dated 11.03.2019.

WP No.3083 of 2019 was filed 'to declare the action of the respondents in not taking any action for purchase of the Eucalyptus crop raised by the petitioner in Ac.50.00 cents of land in Sy.No.705, Chittepalli village, Podalakuru Mandal, SPSR Nellore District, as per G.O.Rt.No.31 dated 18.01.2018, as illegal and arbitrary'.

The following order has been passed by this court on 11.03.2019.

"...As seen from the Memo dated 08.12.2018 of the 1st respondent, it shows that the copy of the representation of the petitioner dated 03.12.2018 was sent to the Special Commissioner & Director of Agricultural Marketing, A.P., Guntur, the 2nd respondent herein, to examine and take necessary action on the matter. The grievance of the petitioner is that the 2nd respondent has not taken any action on the representation of the petitioner and the same is pending.

In the facts and circumstances of the case, the 2nd respondent is directed to consider and pass appropriate orders in accordance with law, basing on the Memo dated 08.12.2018 of the Secretary (BR) - AM & C, Secretary to Government (AGRI & COOP) - AGC01, as expeditiously as possible.

The writ petition is accordingly disposed of."

After filing of the contempt case, an order has been passed by the respondent herein on 03.07.2020 observing as follows:

"...In view of the above circumstances, in the reference 2nd cited, it is to inform that, the then Assistant Director of Marketing, Nellore has stated that, he has personally requested all the traders in the district to address the grievances of Sri Banala Murali Krishna, Sri Sita Rama Traders, Kavali has accepted to purchase 40% of Eucalyptus only from the fields as the said quantity is only up to the quality which can't be purchased by any paper mill.

In this regard, in the reference 6th cited, the Assistant Director of Marketing, Nellore has stated that, Sri Sita Rama Traders, Kavali have not accepted to purchase the Eucalyptus Crop because of labour problem and the Assistant Director of Marketing, Nellore has also contacted the Greeply Paper mill, Naidupet Branch and other traders, they refuse to purchase the Eucalyptus according to the specifications.

In view of the above circumstances, the paper mills/traders are unable to purchase your produce of pulpwood as the quality doesn't meet the specifications/standards specified by them."

Learned counsel for the petitioner contends that there is abnormal delay in complying with the direction of this Court, because of which, petitioner suffered huge loss and the petitioner will challenge the said proceedings of the respondent dated 03.07.2020.

As the direction in the writ petition has been complied with and there is no wilful disobedience in complying with the orders of this Court by the respondent, this Court is not going into the aspect of delay in complying the direction. However, it is open to the petitioner to challenge the proceedings of the respondent dated 03.07.2020 in appropriate proceedings.

The contempt case is accordingly closed. No order as to costs. Miscellaneous petitions, if any, pending in this contempt case, shall stand closed.

KONGARA VIJAYA LAKSHMI, J

Date: 21.06.2022
BSS

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