

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

(Original Jurisdiction)

FRIDAY, THE TWENTY SIXTH DAY OF APRIL,  
TWO THOUSAND AND TWENTY FOUR

**:PRESENT:**

**THE HON'BLE SMT. JUSTICE T.MADHAVI DEVI**

**CONTEMPT CASE NOS: 1462 & 1586 OF 2023**

**CONTEMPT CASE NO. 1462 OF 2023:**

**Between:**

1. B.Kishan, S/o. Gangaram,
2. Md. Rafiquiddin S/o. Md. Ameeruddin
3. D.Krishna, S/o. D.Narayana,
4. S.Sanga Reddy, S/o. D.Linga Reddy
5. K.Gangadhar, S/o. Karennna,
6. C.Venkatesh, S/o. Om Prakash

Petitioners

**AND**

1. Sri Arvind Kumar, IAS, Principal Secretary, Municipal Administration and Urban Development Department, Govt. of Telangana, Secretariat, Hyderabad
2. Ms. Chitra Mishra, IAS, Commissioner, Municipal Corporation, Nizamabad

Respondents

WHEREAS the petitioners have presented the Contempt Case under Sections 10 to 12 of the Contempt of Courts Act, 1971, read with Article 215 of Constitution of India, through their counsel Sri M.Srikanth, praying the High Court to punish the Respondents for willful violation of this Court's order dt.30.03.2022 passed in WP No.10212/2021;

**CONTEMPT CASE NO: 1586 OF 2023**

**Between:**

1. B.Ganesh S/o. Mallaiah
2. K.Ganapathi D/o. Ramachandar
3. K.Saibaba S/o. Rajaiah
4. S.R.Narsimloo S/o. Mallaiah
5. G.Mallaiah S/o. Bhakaiah
6. G.Gangaram S/o. Jalaiah
7. Md.Rafiq S/o. Hussain

Petitioners

AND

1. Sri Arvind Kumar, IAS, Principal Secretary, Municipal Administration and Urban Development Department, Govt. of Telangana, Secretariat, Hyderabad
2. Ms. Chitra Mishra, IAS, Commissioner, Municipal Corporation, Nizamabad

Respondents

WHEREAS the petitioners have presented the Contempt Case under Sections 10 to 12 of the Contempt of Courts Act, 1971, read with Article 215 of Constitution of India, through their counsel Sri M.Srikanth, praying the High Court to punish the Respondents for willful violation of this Court's order dt.30.03.2022 passed in WP No.10051/2021;

**Counsel for the Petitioners : SRI M.SRIKANTH**  
**(in both cases)**

**Counsel for Respondents : ASST. GOVT. PLEADER FOR SERVICES-III**  
**(in both cases)**

WHEREAS the said cases coming on for hearing, and whereas the High Court, upon perusing the affidavits filed therein, and the earlier orders dated 21-07-2023 & 15-03-2024, made the following;

**ORDER:**

Vide directions of this Court dated 15.03.2024, Form-I has been issued to the 1<sup>st</sup> respondent, however, there is no appearance on behalf of the 1<sup>st</sup> respondent before this Court today.

In the instructions received by the learned Government Pleader for Services-III from the Additional Secretary to Government, Municipal Administration & Urban Development Department, the 1<sup>st</sup> respondent i.e. Sri Arvind Kumar, IAS, has been transferred from the Municipal Administration & Urban Development Department to the Revenue (Disaster Management) Department and that the said Officer is on leave till 04.05.2024 on personal grounds and is travelling and is out of station. There was also a request to see that the name of the 1<sup>st</sup> respondent is deleted from the Contempt Cases and dispense with his appearance.

Along with the said communication, is attached the G.O.Rt.No.1652, dated 17.12.2023, under which the 1<sup>st</sup> respondent has been transferred and posted as Special Chief Secretary to Government, Revenue (Disaster Management) Department. He has also attached G.O.Rt.No.585, dated 04.04.2024, under which the leave application of the

1<sup>st</sup> respondent has been sanctioned for 20 days i.e. from 15.04.2024 to 04.05.2024 with permission to avail public holiday on 14.04.2024, on personal grounds.

Learned Assistant Government Pleader representing the respondents submitted that the 1<sup>st</sup> respondent is presently out of country and he would report to the Court immediately after his return.

However, this Court, on verification of the record finds that notice of Form-I has been served on the 1<sup>st</sup> respondent's office of the Principal Secretary, Municipal Administration & Urban Development Department, on 10.04.2024 and the notice is clearly addressed to the 1<sup>st</sup> respondent by name. It appears that no cognizance of the notice has been taken and no instructions have been issued for any steps to be taken inspite of issuance of Form-I in this Contempt case. G.O.Rt.No.585, dated 04.04.2024. Admittedly, the 1<sup>st</sup> respondent has left the country on 14.04.2024 i.e. after receipt of the notice from this Court and no instructions have been issued for seeking exemption from his appearance in this case. Therefore, it is in clear disregard to the directions of this Court. Such action on the part of the respondents is clear Contempt of Court.

Since it is stated that the 1<sup>st</sup> respondent is out of the country on personal grounds and is likely to return on 04.05.2024, this Court is inclined to dispense with his presence today, but with further direction that if he does not enter appearance through a counsel before this Court immediately the day before the sitting of the first vacation Court, then police are directed to arrest the said person and produce him before the Court in the first vacation working Court.

List these matters in the first vacation Court, if the respondent No.1 does not enter appearance through a counsel as directed above.

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SD/- K. SHYLESHI  
DEPUTY REGISTRAR

DEPUTY REGISTRAR

SECTION OFFICER

To

1. Sri Arvind Kumar, IAS, Principal Secretary, Municipal Administration and Urban Development Department, Govt. of Telangana, Secretariat, Hyderabad (BY SPL.MESSENGER)
2. The Section Officer, OS Section, High Court for the State of Telangana, at Hyderabad
3. The Commissioner of Police, Hyderabad City, Hyderabad (BY SPL.MESSENGER)
4. Two CCs to GP for Services-III, High Court for the State of Telangana, at Hyderabad (OUT)
5. One CC to Sri V. Satyam Reddy, Standing Counsel for Nizamabad Municipal Corporation (OPUC)
6. One CC to Sri M.Srikanth, Advocate (OPUC)
7. One spare copy

**HIGH COURT**

**TMD,J**

**DATE: 26-04-2024**

**ORDER**

**C.C. NOS. 1462 & 1586 of 2023**



**DIRECTION**