



**IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)**

THURSDAY, THE 23rd DAY OF JULY 2026

PRESENT

THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI

CONTEMPT CASE NO: 570 OF 2026

Between:

1. KURMALA RAMAMOHAN GUPTA, S/o K. Sankaradu, Aged about 50 years, R/o. 40-23/2-7, Sri Ram Residency, Pakeer Gudem, Vijayawada, Krishna District, Andhra Pradesh – 520008 **...Petitioner**

AND

1. SHASHI BHUSHAN KUMAR IAS, Occ Principal Secretary, Panchayat Raj Department, Secretariat, Velagapudi, Amaravathi, Guntur District.522237
2. D K Balaji I A S, Occ District Collector, Krishna District.520002
3. J Aruna, Occ District Panchayat Officer, machilipatnam Krishna District.520002
4. Surepalli chennakesava rao, Occ Panchayat Secretary, Gannavaram Gram Panchayat, Gannavaram Mandal, Krishna District.521101

...Respondents

Petition 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 punish the respondents under sections 10 to 12 of the Contempt of Court Act, 1971 for willful violation, flouting and disobeying the orders of this Hon'ble Court passed in W.P.No.30409 of 2025 dated 04.11.2025 and pass

Counsel for the Petitioner: KALAPALA DOONDI MAHARAJ

Counsel for the Respondents: RAMA RAO KOCHIRI

Counsel for the Respondents: Y KOTESWARA RAO

The Court made the following order:

This Contempt Case is filed under Sections 10 to 12 of Contempt of Courts Act, 1971 against the respondents for willful disobedience of the order dated 04.11.2025 passed by this Court in Writ Petition No.30409 of 2025.

2. Heard Sri Kalapala Doondi Maharaj, learned counsel for the petitioner, Sri Ramarao Kochiri, learned counsel for respondent Nos.1 to 4 and Sri Y.Koteswararao, learned counsel for respondent No.4.

3. Learned counsel for the petitioner, in elaboration to what has been stated in the affidavit, contended that respondent No.4, without issuing any prior show-cause notice or following the due process of law, issued a notice alleging that the petitioner had encroached upon a portion of the road and directed him to remove the alleged encroachment within 24 hours, failing which the Panchayat would proceed with demolition. Aggrieved thereby, the petitioner filed Writ Petition No.30409 of 2025, and this Court, by order dated 04.11.2025, allowed the writ petition by setting aside the notice dated 21.10.2025 issued by respondent No.4. He further submitted that, despite the directions issued by this Court, respondent No.4, along with his staff, visited the subject property on 23.01.2026 and unlawfully demolished the sheet roof installed by the petitioner in violation of the order passed by this Court which is willful and deliberate. Hence, prayed to punish the respondents under the provisions of the Contempt of Courts Act.

4. On the other hand, Sri Kochiri Ramarao, learned counsel for respondent Nos.1 to 3, while reiterating the contents of the counter-affidavits of respondent Nos.2 and 3, contended that, pursuant to the directions of this Court, respondent No.2 instructed the District Panchayat Officer, Krishna, to take appropriate steps. The District Panchayat Officer reported that nearly thirty street vendors were carrying on business on the main road at Gandhi Bomma Centre, thereby causing obstruction to the free flow of vehicular traffic. Accordingly, the Panchayat Secretary issued notices to the street vendors directing them to vacate the main road. He further submitted that all the street vendors vacated the main road except Sri Maradani Kishore Babu and Sri Pola Nagaraju. Incidentally, the pull cart of Sri Maradani Kishore Babu was in front of the petitioner's shop, who had arranged a temporary iron-sheet roof by tying it to an electric pole to protect his pull cart from the sun and rain. Except for evicting the aforesaid two street vendors, the respondent authorities neither removed, damaged, demolished, nor disturbed the petitioner's shop. He further submitted that there was neither any violation nor disobedience of the orders passed by this Court. Hence, he prayed to dismiss the contempt case.

5. Sri Y. Koteswara Rao, learned counsel for respondent No.4, while reiterating the contents of the counter-affidavit filed by respondent No.4, adopted and reiterated the submissions made on behalf of respondent Nos.2 and 3. He further contended that the petitioner had filed the present contempt case with an intention to protect the street vendors carrying on business in

front of his shop and that the petitioner was permitting them to continue by collecting daily rent. He further contended that there was no violation or willful disobedience of the order passed by this Court on the part of respondent No.4. Hence, prayed to dismiss the Contempt Case.

6. Learned counsel for the petitioner filed a reply affidavit contending that, under the guise of removing the street vendors, respondent No.4 visited the subject premises along with several persons and JCB machinery and removed the blue sheet roof installed by the petitioner. In support of the said contention, the petitioner filed photographs evidencing the alleged demolition. He further contended that the respondent authorities acted in willful disregard of the orders passed by this Court and exhibited bias and discriminatory treatment against the petitioner, inasmuch as the sheet roofs of the neighbouring shops were left untouched. He further contended that no prior notice was issued before carrying out the demolition, which clearly demonstrates the respondent authorities' complete disregard for the orders passed by this Court.

7. Perused the record and considered the submissions made by respective parties.

8. This Court, while disposing of Writ Petition No.30409 of 2025, passed the following order on 04.11.2025:

“Accordingly, the Writ Petition is allowed, setting aside the Notice dated 21.10.2025 issued by respondent No.4. However, this order shall not preclude the respondent authorities concerned

from initiating appropriate action against the petitioner in accordance with law, after following due process and affording the petitioner an opportunity of being heard, if so advised..”

A perusal of the order dated 04.11.2025 discloses that this Court merely set aside the notice dated 21.10.2025 issued by respondent No.4. At the same time, this Court expressly granted liberty to the respondent authorities to initiate appropriate action against the petitioner in accordance with law, after following due process and affording an opportunity of hearing to the petitioner.

9. The grievance of the petitioner in the present contempt case is that respondent No.4, under the guise of removing the street vendors, demolished the sheet roof installed by the petitioner on 23.01.2026. On the other hand, the respondents have specifically denied the said allegation and contended that only the unauthorized street vendors were removed from the main road in order to ensure free flow of vehicular traffic and that neither the petitioner's shop nor its structure was demolished or disturbed. They further contended that the temporary iron-sheet roof removed belonged to one of the street vendors, namely Sri Maradani Kishore Babu, who had erected the same to protect his pull cart from the sun and rain.

10. The rival contentions give rise to disputed questions of fact as to whether the sheet roof allegedly removed belonged to the petitioner or to the street vendor. Such disputed factual issues cannot be adjudicated in proceedings under the Contempt of Courts Act, as the contempt jurisdiction is

confined to examining whether there has been any willful and deliberate disobedience of the order passed by this Court and not to adjudicate fresh or independent causes of action. The photographs produced by the petitioner also do not establish that the respondents acted in violation of the order dated 04.11.2025.

11. The order dated 04.11.2025 did not restrain the respondent authorities from removing unauthorized street vendors or taking action in accordance with law. The only direction issued by this Court was that any action against the petitioner should be taken by following due process of law. In the absence of any material establishing that respondent No.4 has willfully and deliberately violated the order dated 04.11.2025 passed by this Court, no case for initiating contempt proceedings is made out by the petitioner.

12. In view of the foregoing discussion, this Court is of the considered view that the petitioner has failed to establish any willful or deliberate disobedience of the order dated 04.11.2025 passed in Writ Petition No.30409 of 2025.

13. Accordingly, the Contempt Case is dismissed. There shall be no order as to costs.

As a sequel, miscellaneous petitions pending, if any in the Contempt Case, shall stand closed.

JUSTICE RAVI CHEEMALAPATI

23.07.2026

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THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI

CONTEMPT CASE NO:570 of 2026

Date: 23.07.2026

MP