

HIGH COURT OF ANDHRA PRADESH AT AMARAVATHI

MAIN CASE: C.C.(SR).No.43985 of 2023

PROCEEDING SHEET

Sl. No	DATE	ORDER	Office Note
04.	24.11.2023	<p><u>TRR, J</u></p> <p style="text-align: center;"><u>I.A.No.1 of 2023</u></p> <p>The present interlocutory application was filed to grant leave to the petitioner to file instant contempt case.</p> <p>The writ petition <i>vide</i> W.P.No.35598 of 2018, was filed by four petitioners for payment of compensation. The said writ petition was allowed by an order dated 04.04.2023.</p> <p>As the respondents have not implemented the said orders of this Court, hence the instant contempt case was filed by the legal heir of the 2nd petitioner in the writ petition, the 2nd petitioner in the writ petition was died on 13.05.2021.</p> <p>Now, the present application was filed by the daughter of the 2nd petitioner in the writ petition, seeking to grant leave. This Court raised an objection regarding not filing the implead petition before disposal of the writ petition.</p> <p>Learned counsel for the petitioner relied on a judgment of the Madras High Court reported as <i>State of Tamil Nadu and others v. N.Ramamoorthy</i>, wherein, the Division Bench of the Madras High Court held that Order 22 of the Code of Civil Procedure, 1908 has no</p>	

application, when the Court exercised jurisdiction under Article 226 of the Constitution of India. When the similar issue has come up for consideration in the said judgment, then the Court has held that the petitioner can be brought on record.

In view of the said judgment, I.A.No.1 of 2023 is allowed.

Office is directed to number the Contempt Case.

TRR,J
KBN

