

**(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

THURSDAY, THE TWENTY SIXTH DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY FOUR

: PRESENT:

**THE HON'BLE THE CHIEF JUSTICE ALOK ARADHE
AND
THE HON'BLE SRI JUSTICE J SREENIVAS RAO**

CONTEMPT APPEAL NO: 15 OF 2024

Between:

1. Dr. K. Vanaja, W/o. Kiran Kumar
2. Dr. Y. Kiran Kumar

Applicants/Respondents

AND

1. Nagaboina Ayamma, W/o. N. Lingaiah, Occ Household,
2. Nagaboina Veraiah (Died per LRs), (Died per LRs)
3. Nagaboina Venkataramnana, S/o. Late Veraiah, Occ Private Employee,
All are R/o. Thummadamshivaru, Narammagudem Village, Nimadanoor Mandal,
Nalgonda District - 508207

Respondents/Petitioners

WHEREAS the Applicants above named through their Advocate Sri G Allabakash presented this Appeal under Section 19 (1) of the Contempt of Courts Act, praying that in the circumstances stated in the grounds filed therein, the High Court may be pleased to set aside the orders dated 20-09-2024 passed in C.C. No. 1369 of 2024.

AND WHEREAS the High Court upon perusing the petition and memorandum of grounds filed herein and upon hearing the arguments of Sri G Allabakash Advocate for the Applicants and Sri Baglekar Akash Kumar, Advocate for the respondents, directed issue of notice to the Respondents herein to show cause as to why this CONTEMPT APPEAL should not be admitted.

You viz:

1. Nagaboina Ayamma, W/o. N. Lingaiah, Occ Household, R/o. Thummadamshivaru, Narammagudem Village, Nimadanoor Mandal, Nalgonda District - 508207
2. Nagaboina Venkataramnana, S/o. Late Veraiah, Occ Private Employee, R/o. Thummadamshivaru, Narammagudem Village, Nimadanoor Mandal, Nalgonda District - 508207

are directed to show cause as to why in the circumstances set out in the appeal and the memorandum of grounds filed therewith (copy enclosed) this CONTEMPT APPEAL should not be admitted.

IA NO: 2 OF 2024

Petition under Section 19 (2) (a) of Contempt of courts Act, praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be

pleased to suspend the order dated 20-09-2024 passed in C.C. No. 1369 of 2024, pending disposal of CA No. 15 of 2024, on the file of the High Court.

The Court made the following

ORDER:

Mr. G. Allabakash, learned counsel appears for the appellants.

Heard on the question of admission.

Issue notice to the respondents.

Mr. Baglekar Akash Kumar, learned counsel accepts notice on behalf of the respondents.

This appeal under Section 19 of the Contempt of Courts Act, 1971, has been filed against order dated 20.09.2024 passed by the learned Single Judge, in Contempt Case No.1369 of 2024 by which the appellants who are the tenants have been held guilty for non-compliance of the order dated 04.12.2023 passed by the learned I-Additional Junior Civil Judge, Miryalguda, in I.A.No.251 of 2023 in O.S.No.152 of 2023.

By the aforesaid order dated 04.12.2023, the appellants have been directed to deposit a sum of Rs.9,06,000/- within a period of fourteen (14) days and also an amount of Rs.42,000/- in the Court for January, 2024, on or before 10th day of that month and thereafter, continue to deposit a sum of Rs.47,000/- on or before 10th day of every month from February, 2024, till disposal of the suit.

Learned counsel for the appellants submits that there is a dispute with regard to the arrears of rent payable to the respondents and there is no wilful disobedience to the directions issued by the

learned I-Additional Junior Civil Judge, Miryalguda, in I.A.No.251 of 2023 in O.S.No.152 of 2023. It is further submitted that in case the appellants do not deposit the amount of rent, their defence would be, eviction proceedings can be struck out, but, they cannot be held guilty for commission of contempt.

In view of aforesaid submissions and in the peculiar facts of the case, it is directed that in case the appellants deposit a sum of Rs.5,00,000/- (Rupees Five Lakh only) on or before 15.10.2024 and continue to deposit the monthly rent in the Court, the operation of the impugned order insofar as it imposes sentence on the appellants shall remain stayed. However, this order shall not preclude the trial Court from dealing with the prayer for striking out the defence of the appellants for non-payment of rent.

//TRUE COPY//

Sd/- K.SRINIVAS RAO
JOINT REGISTRAR

SECTION OFFICER

To,

1. The I Additional Junior Civil Judge, Miryalguda, Nalgonda District
2. Nagaboina Ayamma, W/o. N. Lingaiah, Occ Household, R/o. Thummadamshivaru, Narammagudem Village, Nimadanoor Mandal, Nalgonda District - 508207
3. Nagaboina Venkataramnana, S/o. Late Veraiah, Occ Private Employee, R/o. Thummadamshivaru, Narammagudem Village, Nimadanoor Mandal, Nalgonda District - 508207
(Addressees 2 & 3 by RPAD along with a copy of application and grounds)
4. One CC to Sri G Allabakash Advocate [OPUC]
5. One CC to Sri Baglekar Akash Kumar Advocate [OPUC]
6. Two spare copies

HIGH COURT

**HCJ
&
JSRJ**

DATED:26/09/2024

NOTICE BEFORE ADMISSION

CA.No.15 of 2024

INTERIM SUSPENSION

