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**HIGH COURT OF ANDHRA PRADESH AT AMARAVATI**

**I.A.No.2 of 2024**

**IN**

**C.C.No.5763 of 2023**

**Between:**

- 1.NAGALLA VENKATESWARLU, S/O MUTYALA NAIDU, HINDU, AGED ABOUT 52 YEARS, R/O B.CHERLOPALLI VILLAGE, PODALAKURU MANDAL, SPSR NELLORE DISTRICT.
- 2.BELLAMKONDA MASTAN NAIDU,, BELLAMKONDA CHENCHU KRISHNAIAH, HINDU, AGED ABOUT 58 YEARS, R/O 2/70, NR PET, GUDUR TOWN AND MANDAL, SPSR NELLORE DISTRICT
- 3.GUDI RAJESH,, S/O RAGHAYYA, HINDU, AGED ABOUT 46 YEARS, R/O CHEJERLA, SPSR NELLORE DISTRICT.
- 4.YEDLURU RADHAIH,, S/O KRISHNAIAH, HINDU, AGED ABOUT 54 YEARS, R/O RAKURU ROAD, PODALAKURU, SPSR NELLORE DISTRICT.
- 5.SHAIK IBRAHIM,, S/O SHAIK KADHAR SAHEB, MUSLIM, AGED ABOUT 64 YEARS, R/O TAILORS COLONY, PODALAKURI, SPSR NELLORE DISTRICT.
- 6.KOVURU SRINIVASULU, , S/O KANAKAIAH, HINDU, AGED ABOUT 57 YEARS, R/O B.CHERLAPALLI, PODALAKURU MANDAL, SPSR NELLORE DISTRICT. R/O PODALAKURU, SPSR NELLORE DISTRICT.

**...REVIEW PETITIONER(S)**

**AND**

- 1.SRI RAHUL PANDEY IFS, THE COMMISSIONER-CUM-DIRECTOR, AGRICULTURE MARKETING DEPARTMENT, CHUTTUGUNTA, GUNTUR.
- 2.SRI K SRINIVASA RAO, THE REGIONAL JOINT DIRECTOR, AGRICULTURE MARKETING DEPARTMENT, GOLLAPUDI, VIJAYAWADA.
- 3.SMT P ANITHA KUMARI, THE ASSISTANT DIRECTOR, MARKETING COMMITTEE, MADRAS BUSSTAND, NELLORE, SPSR NELLORE

DISTRICT.

4. SRI D NAVEEN KUMAR REDDY, THE SECRETARY, SARVEPALLI AGRICULTURE MARKETING COMMITTEE, PODALAKURI TOWN AND MANDAL, SPSR NELLORE DISTRICT.
5. SMT PEDAMALLU RATNAMMA, W/O RAMANA REDDY, HINDU, AGED 55 YEARS, OCC. THE CHAIRPERSON, SARVEPALLI AGRICULTURAL MARKETING COMMITTEE PODALAKURI TOWN AND MANDAL, SPSR NELLORE DISTRICT.

...RESPONDENTS:

DATE OF JUDGMENT PRONOUNCED: 02.04.2026

**SUBMITTED FOR APPROVAL:**

**THE HON'BLE SRI JUSTICE VENKATESWARLU NIMMAGADDA**

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|---|--------|
| 1. Whether Reporters of Local newspapers may be allowed to see the Judgments? | Yes/No |
| 2. Whether the copies of judgment may be marked to Law Reporters/Journals?    | Yes/No |
| 3. Whether Their Ladyship/Lordship wish to see the fair copy of the Judgment? | Yes/No |

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**JUSTICE VENKATESWARLU NIMMAGADDA**

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**\* HONOURABLE SRI JUSTICE VENKATESWARLU NIMMAGADDA**

**+ I.A.No.2 of 2024  
IN  
C.C.No.5763 of 2023**

**% 02.04.2026**

**# NAGALLA VENKATESWARLU, S/O MUTYALA NAIDU, HINDU, AGED ABOUT 52 YEARS, R/O B.CHERLOPALLI VILLAGE, PODALAKURU MANDAL, SPSR NELLORE DISTR and 5 others.**

**.. Review Petitioners**

**Vs.**

**\$ SRI RAHUL PANDEY IFS, THE COMMISSIONER-CUM-DIRECTOR,  
AGRICULTURE MARKETING DEPARTMENT, CHUTTUGUNTA, GUNTUR & 4  
others**

**.. Respondents**

**! Counsel for petitioners : Sri J.V.PHANIDUTH**

**^ Counsel for respondents: Sri C SUMON,  
Sri GANGISETTY RAJESWARA RA  
Sri B PRAKASAM (Sr SC FOR A M C )**

**? CASES REFERRED:**

- 1. (2000)1 Supreme Court Cases 666**
- 2. 2020 SCC OnLine UTT 1127: AIR 2021 Utt 12**

APHC010544012023



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

**[3329]**

THURSDAY, THE SECOND DAY OF APRIL  
TWO THOUSAND AND TWENTY SIX

**PRESENT**

**THE HONOURABLE SRI JUSTICE VENKATESWARLU  
NIMMAGADDA**

**IA 2 OF 2024**

**IN**

**CONTEMPT CASE NO: 5763/2023**

**Between:**

1. NAGALLA VENKATESWARLU, S/O MUTYALA NAIDU, HINDU, AGED ABOUT 52 YEARS, R/O B.CHERLOPALLI VILLAGE, PODALAKURU MANDAL, SPSR NELLORE DISTRICT.
2. BELLAMKONDA MASTAN NAIDU,, BELLAMKONDA CHENCHU KRISHNAIAH, HINDU, AGED ABOUT 58 YEARS, R/O 2/70, NR PET, GUDUR TOWN AND MANDAL, SPSR NELLORE DISTRICT
3. GUDI RAJESH,, S/O RAGHAYYA, HINDU, AGED ABOUT 46 YEARS, R/O CHEJERLA, SPSR NELLORE DISTRICT.
4. YEDLURU RADHAIAH,, S/O KRISHNAIAH, HINDU, AGED ABOUT 54 YEARS, R/O RAKURU ROAD, PODALAKURU, SPSR NELLORE DISTRICT.
5. SHAIK IBRAHIM,, S/O SHAIK KADHAR SAHEB, MUSLIM, AGED ABOUT 64 YEARS, R/O TAILORS COLONY,

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PODALAKURI, SPSR NELLORE DISTRICT.

6. KOVURU SRINIVASULU, , S/O KANAKAIAH, HINDU, AGED ABOUT 57 YEARS, R/O B.CHERLAPALLI, PODALAKURU MANDAL, SPSR NELLORE DISTRICT. R/O PODALAKURU, SPSR NELLORE DISTRICT.

**...PETITIONER(S)**

**AND**

1. SRI RAHUL PANDEY IFS, THE COMMISSIONER-CUM-DIRECTOR, AGRICULTURE MARKETING DEPARTMENT, CHUTTUGUNTA, GUNTUR.
2. SRI K SRINIVASA RAO, THE REGIONAL JOINT DIRECTOR, AGRICULTURE MARKETING DEPARTMENT, GOLLAPUDI, VIJAYAWADA.
3. SMT P ANITHA KUMARI, THE ASSISTANT DIRECTOR, MARKETING COMMITTEE, MADRAS BUSSTAND, NELLORE, SPSR NELLORE DISTRICT.
4. SRI D NAVEEN KUMAR REDDY, THE SECRETARY, SARVEPALLI AGRICULTURE MARKETING COMMITTEE, PODALAKURI TOWN AND MANDAL, SPSR NELLORE DISTRICT.
5. SMT PEDAMALLU RATNAMMA, W/O RAMANA REDDY, HINDU, AGED 55 YEARS, OCC. THE CHAIRPERSON, SARVEPALLI AGRICULTURAL MARKETING COMMITTEE PODALAKURI TOWN AND MANDAL, SPSR NELLORE DISTRICT.

**...CONTEMNOR(S):**

pleased to REVIEW the order dated 28.10.2024 passed in CC. No. 5763 of 2023 by this Hon'ble Court to the extent of recording observation that, the petitioners filed the contempt case for extraneous reasons and other observations at para Nos. 21 to 23, finding of suppression of material facts in para No. 25 and we are liable to pay fine and directing us to pay amount/penalty of Rs. 2,000/- each in para Nos. 25 & 26 as the affecting our rights/contentions in the writ petition, in interest of justice and pass

**Counsel for the Petitioner(S):**

1.J.V.PHANIDUTH

**Counsel for the Contemnor(S):**

1.C SUMON

2.GANGISETTY RAJESWARA RAO

3.B PRAKASAM (Sr SC FOR A M C )

**HON'BLE SRI JUSTICE VENKATESWARLU NIMMAGADDA**

**Review I.A.No.2 of 2024**

**IN**

**C.C.No.5763 of 2023**

This Court made the following

**ORDER:**

The present Review Petition is filed under Order XLVII R/w Rule 1 r/w Section 151 of CPC by the petitioners seeking to review the order dated 28.10.2024 passed in C.C.No.5763 of 2023 is against the probabilities of the writ petition and contrary to the facts in hand. Learned counsel for review petitioners also sought for review of the order of this Court on the ground that the 4<sup>th</sup> respondent neither informed the petitioners herein regarding completion of the auction and entered agreements with the successful bidders nor handed over the possession of the shops to the respective successful bidders but they submitted before this Court as if the auction was conducted and agreements were entered with the successful bidders on 17.07.2023 and 21.07.2023 were created by the 4<sup>th</sup> respondent only. Therefore, this Court erroneously came to conclusion that the petitioners having

knowledge about the completion of the entire auction procedure and invited the interim orders of this Court in the writ petition by suppressing the material facts.

2. Learned counsel for the petitioners submits that the entire proceedings and alleged agreements which were said to have been entered on 17.07.2023 and 21.07.2023 were ante dated to the interim orders of this Court in W.P.No.25260/2023 dated 26.09.2023. He further submits that this Hon'ble Court should have been exposed the conduct of the respondent even though they suffered orders from this Court in W.P.No.19940/2023, dated 09.08.2023. Therefore, imposing costs against the petitioners in filing Contempt Petition is liable to be withdrawn and the orders passed by this Court in C.C.No.5763/2023, dated 28.10.2024 liable to be modified accordingly. While learned counsel for the review petitioners relying upon the judgment rendered by the Hon'ble Apex Court in **M.M. Thomas vs. State of Kerala & Another**<sup>1</sup>, prayed that the review petition is maintainable in Contempt Petition. Therefore, the orders passed in C.C.No.5763/2023, dated 28.10.2024 shall liable to be modified. Hence, the review petition.

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<sup>1</sup> (2000)1 Supreme Court Cases 666

3. On the other hand, learned counsel for respondents draw the attention of this Court that any review petition in Contempt Petition is not maintainable and also asserts that this Court has an ample power to exercise its jurisdiction Under Section 10 to 12 of the Contempt of Courts Act, 1971 to impose penalty or punishment against the culprits. This Court hold that the contempt proceedings were initiated by the petitioner by misleading the Court and accordingly costs were imposed against the petitioners herein. He also asserts that whether the petitioner had initiated writ proceedings as well as contempt proceedings by suppressing of material facts or not and got invited the interim orders of this Court not only once but twice is the matter to be decided out of the bare facts from the writ affidavits.

4. Whereas, in the affidavit filed along with W.P.No.19940/2023 by the petitioner it is clearly and categorically stated that the public auction was conducted on 11.07.2023 itself and the 5<sup>th</sup> respondent proceeded further and the petitioner herein submitted a representation on 17.07.2023 not to the 5<sup>th</sup> respondent, who conducted the auction and who is the competent authority, but submitted the same to the 2<sup>nd</sup> respondent and sought relief for

disposal of the representation. He also submits that the petitioners had stated in their affidavit filed in support of W.P.No.25260/2023, that the representation of the petitioners dated 17.07.2023 was disposed of by the 5<sup>th</sup> respondent vide proceedings dated 12.09.2023 and rejected the claim of the petitioners by holding that auction was conducted in accordance with law and lease agreements were also entered. The other contention of the learned counsel for respondents that the proceedings dated 12.09.2023 under which the representation of the petitioner was rejected and also informed that the 5<sup>th</sup> respondent had already been entered the agreements with the successful bidders on 17.07.2023 and 21.07.2023 itself. Suppressing the said facts petitioners got invited the interim orders of this Court dated 26.09.2023 and filed the present contempt petition alleging that the orders of this court not complied with. After hearing at length, this Hon'ble Court rightly dismissed the contempt petition by imposing the costs since the petitioners have invited the interim orders of this Court by suppressing the material facts. Learned counsel for respondents also drawn the attention of this Court that the present Review Petition

is not maintainable for which he relied upon the judgment of Hon'ble Apex Court in **Himanshu Joshi vs. Utpal Kumar and another**<sup>2</sup>.

5. Heard learned counsel for Review Petitioners and learned counsel for respondents and perused the material placed on record.

6. Points for consideration are:

- Whether the Review I.A.No.2 of 2024 in C.C.No.5763 of 2023 is maintainable or not under the provisions of Contempt of Courts Act, 1971?
- Whether the Review Petitioners are entitled any relief as prayed in the given facts and circumstances of the case or not?

7. For determination of both the issues as framed above, it is appropriate to extract the orders of this Hon'ble Court in W.P.No.19940 of 2023, dated 09.08.2023 as under:

"6. Though the counsel for the petitioners has raised various grounds in the writ petition, he has restricted his relief to the extent of disposal of the representation dated 17.07.2023.

7. Having regard to the facts and circumstances of the case and in view of the fact that, the representation made by the petitioners is pending for consideration before the 2<sup>nd</sup> respondent, instead of going into merits this Court deems it appropriate to direct the 2<sup>nd</sup> respondent-The Commissioner-cum-Director, Agricultural Marketing Committee, to consider the said representation dated 17.07.2023, in accordance with law and pass appropriate orders.

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<sup>2</sup> 2020 SCC OnLine UTT 1127: AIR 2021 Utt 12

8. Accordingly, the Writ Petition is disposed of directing the 2<sup>nd</sup> respondent-The Commissioner-cum-Director, Agricultural Marketing Committee, to consider the representation dated 17.07.2023 in accordance with law and pass appropriate orders thereon as expeditiously as possible, preferably within a period of two (02) weeks from the date of receipt of the copy of this order. Till such time, the respondents are directed not to proceed with auction held on 11.07.2023. There shall be no order as to costs”

**8.** It is also appropriate to extract the Interim Orders in I.A.No.1 of 2023 in W.P.No.25260 of 2023, dated 26.09.2023 hereunder:

“Heard learned counsel for the petitioners and learned Government Pleader for Agriculture for respondents.

In view of the submissions of learned counsel for the petitioners and upon perusal of the material on record, there shall be an interim stay of all further proceedings pursuant to the auction held on 11.07.2023, pending further orders.”

**9.** On perusal of the affidavits filed by the petitioners in support of the above two writ petitions it is observed that the subject public auction was already been conducted on 11.07.2023 and petitioners herein were also participated along with others at the auction and got submitted a representation dated 17.07.2023 alleging that the said auction was not proceeded properly and requested to conduct re-auction and filed writ petition No.19940 of 2023 and petitioners themselves voluntarily prayed for disposal of their representation

dated 17.07.2023, which was not duly submitted to the competent authority but submitted to the State Authority i.e., 2<sup>nd</sup> respondent. It is an admitted fact that the 5<sup>th</sup> respondent in the writ petition is the competent authority who conducted the auction and who finalized the bids as per terms of the tender notice. Thereby the petitioners have voluntarily invited the orders for disposal of the representation by the higher authority ignoring the competent authority and who conducted the auction and moreso, having participated themselves in the public auction. The said representation was disposed of vide proceedings dated 12.09.2023. The said proceedings were assailed in W.P.No.25260/2023 on the ground that the disposal of the representation of the petitioners by the respondents without referring the orders of this Court dated 09.08.2023 and invited the interim orders of this Court on 26.09.2023 as if the subject tender not yet finalized. Having challenged the impugned proceedings dated 12.09.2023 whereunder the 5<sup>th</sup> respondent therein clearly and categorically stated that the auction was already completed and the 5<sup>th</sup> respondent had already been entered agreements with some of the successful bidders on 17.07.2023 i.e., on the date of

representation and some others on 21.07.2023 itself. Moreover no representation was submitted to the 5<sup>th</sup> respondent who is the tendering authority and who conducted auction and finalized the same. More over the petitioners invited the orders of this Court as if the 5<sup>th</sup> respondent not proceeded further pursuant to the auction held on 11.07.2023, having known the fact that entire auction was completed in all respects.

**10.** On perusal of the facts as stated above, this Court is of the considered opinion that the petitioners herein have mislead this Court by suppressing material facts and invited the interim orders of this Court. Therefore, the petitioners herein are not entitled any relief who suppressed the material facts and who approached this Court with unclean hands and who invited the interim orders by suppressing the material facts before this Court. It is well settled proposition of law that no person is entitled any relief who comes to the Court with unclean hands. Accordingly, this Court while dismissing the Contempt Petition against the respondents and imposed the costs against the petitioners herein. As contended by learned counsel for the respondents the review petitioners filed this Review Petition

misleading the facts at Para-3 of the affidavit in Review I.A.No.2 of 2024 in C.C.No.5763/2023, as if the 4<sup>th</sup> respondent through his learned Standing Counsel submitted to this Hon'ble Court that they would consider petitioners' representation dated 17.07.2023 and based on the said submission only this Hon'ble Court disposed of the writ petition directing the 1<sup>st</sup> respondent herein to consider the representation dated 17.07.2023. But the fact remains that the petitioners themselves prayed for disposal of the representation without there being any remarks offered by the learned Standing Counsel at the admission stage.

**11.** As far as maintainability of the present Review Petition in Contempt Petition is concerned, learned counsel for the petitioners relied upon the judgment of Hon'ble Supreme Court in **M.M. Thomas vs. State of Kerala & Another** (Supra 1) which reads as under:

“14. High Court as a Court of Record, as envisaged in Article 215 of the Constitution, must have inherent powers to correct the records. A Court of Record envelopes all such powers whose acts and proceedings are to be enrolled in a perpetual, memorial and testimony. A Court of Record is undoubtedly a superior court which is itself competent to determine the scope of its jurisdiction. The High Court, as a Court of Record, has a duty to itself to keep all its records correctly and in accordance with law. Hence, if any apparent error is noticed by the High Court in respect of any orders passed by it the High Court has not only power, but a duty to correct it. The

High Court's power in that regard is plenary. In *Naresh Shridhar Mirajkar & Ors. v. State of Maharashtra & Anr*, [1966] 3 SCR 744= AIR (1967) SC 1 a nine Judge Bench of this Court has recognised the aforesaid superior status of the High Court as a court of plenary jurisdiction being a Court of Record.

15. In *Halsbury's Laws of England*, 4th Edn. Vol.10, para 713 it is stated thus :

"The chief distinctions between superior and inferior courts are found in connection with jurisdiction, Prima facie, no matter is deemed to be beyond the jurisdiction of a superior court unless it is expressly shown to be so, while nothing is within the jurisdiction of an inferior court unless it is expressly shown on the face of the proceedings that the particular matter is within the cognizance of the particular court. An objection to the jurisdiction of one of the superior courts of general jurisdiction must show what other court has jurisdiction, so as to make it clear that the exercise by the superior court of its general jurisdiction is unnecessary. The High Court, for example, is a court of universal jurisdiction and superintendency in certain classes of actions, and cannot be deprived of its ascendancy by showing that some other court could have entertained the particular action."

(Though the above reference is to English Courts the principle would squarely apply to the superior courts in India also.)

16. Referring to the said passage and relying on the decision of this Court in *Naresh Shridhar Mirajkar* (supra) a two Judge Bench of this Court in *MF. Elisabeth and Ors, v. Harwan Investment & Trading Pvt. Ltd.*, [1993] Supple. 2 SCC 433 = AIR (1993) SC 1014 has observed thus :

"The High Courts in India are superior courts of record. They have original and appellate jurisdiction. They have inherent and plenary powers. Unless expressly or impliedly barred, and subject to the appellate or discretionary jurisdiction of the Supreme Court, the High Courts have unlimited jurisdiction."

17. If such power of correcting its own record is denied to the High Court, when it notices the apparent errors its consequence is that the superior status of the High Court will dwindle down, Therefore, it is only proper to think that the plenary powers of the High Court would include the power of review relating to errors apparent on the face of record.

12. In the instant case the facts and circumstances as explained above, the order under Review dated 28.10.2024 is neither suffered with any error nor mistake as held in **M.M. Thomas vs State of Kerala** (Supra 1). Therefore, the ratio relied by the petitioners is not applicable to the present facts and circumstances of the case.

13. As contended by learned counsel for respondents in the given facts and circumstances, the present Review Petition in Contempt Petition is not maintainable. Accordingly, Point No.I is answered. The power vested in the High Court in Contempt Jurisdiction explained by the Hon'ble Apex Court in **Himanshu Joshi vs. Utpal Kumar and another** (Supra 2) wherein it is observed as under:

16. In the said case, the Full Bench of Kerala High Court after having gone into the said judgment of Kerala High Court was dealing with an issue, which was raised on a reference made to it in relation to Section 20 of the Act in a decision reported in **(1993) 1 KLT 782**, which was referred to be reconsidered by framing the following question in the following fashion, which was sought to be answered by the Full Bench, the question was : **“Section 20 cannot make any in road into the powers vested in the High Court under Article 215 of the Constitution of India.”** The period mentioned in Section 20 cannot be made applicable in cases of contempt of the High Court, which are drawn under Article 215 of the Constitution of India because it gives a supreme position to the High Court and Supreme Court, as compared to the lower courts. After having meticulously gone through the judgment

of the Full Bench of Kerala High Court, it was a case where the issue, which was raised and dealt before the Kerala High Court was as to whether the principles, which are enunciated under Section 20 of the Contempt of Courts Act, could be extracted and made applicable by barging into the proceedings drawn by the High Courts under Article 215 of the Constitution of India for drawing the contempt proceedings. Before venturing further, it would be relevant to make a reference to the Article 215 of the Constitution of India, which reads as under:

“215. High Courts to be courts of record Every High Court shall be a court of record and shall have all the powers of such a court including the power to punish for contempt of itself.”

17. On a simplicitor reading, the interpretation of Article 215 would be that since the High Courts have been held as to be a Court of records under Article 129 of the Constitution of India, hence, an inherent power has been given to the High Courts, which will be including the power to punish “itself” for contempt. It was this issue, which was raised before the Full Bench of Kerala High Court, wherein, the interpretation given in the said judgment of *A. Mayilswami* (supra), was that the court has held that since the High Courts being a creation of Constitution and being a Court of record and having been vested with its inherent power under Article 215 of the Constitution of India, for drawing contempt itself, the provisions of Section 20 cannot be extracted to be made applicable over the proceedings, which are drawn by High Courts under Article 215 of the Constitution of India because it has held that the powers given under Article 215 of the Constitution of India is absolute plenary and unfetter and, hence, the bar of Section 20 of the Contempt of Courts Act, 1971, would not be borrowed to be attracted, once it is drawn in its exercise of powers of contempt under Article 215 of the Constitution of India. Hence, accordingly, the answer was given in paragraph-5 of the judgment by the Full Bench in the following manner:

“5. In view of the decision of the Supreme Court it is not possible for us to hold that the period of one year mentioned in Section 20 of the Contempt of Courts Act is applicable to a case where contempt proceeding is initiated by the High Court for having disobeyed or not complied with its order. As the power conferred on the High Court under Article 215 of the Constitution of India is absolute and unfettered

it cannot be said that the time limit specified in Section would apply and the proceeding before this court is barred by limitation.”

**18.** The reliance, which has been placed by the learned counsel for the petitioner on the said judgment was with regards to the inherent suo moto power exercised by the High Court under Article 215 of the Constitution of India, since the exercise of powers therein being inherent, once the Full Bench has held that Section 20 of the Contempt of Courts Act would not be applicable, where High Court exercises powers under Article 215 of the Constitution, he attempts to infer that the said principle of being the Court of record, the said principle of exercising the inherent power of contempt, which was settled vis-à-vis the provisions contained under Article 215, the same could be attracted in paralance to the proceedings under Section 12 of the Contempt of Courts Act, which too has to be read as if it was being exercised by the Court of record in the exercise of inherent jurisdiction, is absolutely preposterous arguments, which is not accepted by this Court, hence, declined to be accepted because High Court powers under Section 12 of the Contempt of Courts Act of 1971, is absolutely independent under a special statute, as is not an equivalent powers of the High Court under Article 215 of the Constitution of India.

**19.** This Court is not agreeing with the tenacity of the argument as extended by the learned counsel for the applicant. That the exercise of powers under Article 215, for drawing the contempt proceedings by the exercise of inherent power by the High Court as a Court of record under Article 129 of the Constitution of India, is entirely different and distinct to the powers of initiation of a proceeding of contempt under Section 12 of the Contempt of Courts Act and that on an application filed beyond the period under Section 20 of the Act. Hence, the said principle and analogy, which has been laid down, has to be rationally interpreted and not to be made applicable to the proceedings under Section 12 when it has germinated under a special act, giving a limited power, which is governed by the procedures governing it provided under the Act. Hence, the decision taken thereof in the absence of the proceedings being a suo moto proceeding drawn by the High Court, it cannot be treated as to be an inherent exercise jurisdiction of the High Court, in order attract the same principles as it would have been made applicable to the plenary powers of the High Court under Article 215 of the Constitution of India so as to exclude

the applicability of Section 20 of the Act. Hence, this argument is not accepted by this Court and is turned down.

**14.** Considering the submissions made by both the counsel and judgments rendered by the Hon'ble Apex Court and due to the facts and circumstances in case in hand and for the reasons stated as above, the Review Petition i.e., I.A.No.2 of 2024 is nothing but an abuse of process of law on the part of the petitioners. Hence this Court is of the considered opinion that the petitioners herein initiated multiple legal proceedings are used as weapon to achieve undue advantages and with ulterior motives, hence this Review Petition is liable to be dismissed.

**15.** Accordingly, the Review I.A.No.2 of 2024 is dismissed.

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**JUSTICE VENKATESWARLU NIMMAGADDA**

**NOTE:** LR to be marked

Dt: 02.04.2026

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**THE HONOURABLE SRI JUSTICE VENKATESWARLU NIMMAGADDA**



**Review I.A.No.2 of 2024**

**IN**

**C.C.No.5763 of 2023**

**NOTE:** LR to be marked

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