

HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION No.32237 of 2015

Date:18.11.2015

Between:

Nelluri Bhadraiah,

S/o Veeraiah

..... Petitioner

And:

The State of Telangana, repled., by its

Principal Secretary, Panchayat Raj & Rural

Development Department,

Hyderabad and four others.

.....Respondents

Counsel for the Petitioner: Mr. V.Brahmaiah Chowdary

Counsel for Respondent Nos.1, 3 & 4: GP for Panchayat Raj (TS)

Counsel for Respondent No.2: AGP for Revenue (TS)

The Court made the following:

ORDER:

This Writ Petition is filed for a *Mandamus* to declare the inaction of respondent Nos.3 and 4 in taking further steps, in pursuance of enquiry held on 27.7.2015, against respondent No.5 as illegal and arbitrary.

This Court by order, dated 12.10.2015, directed respondent No.3 to submit his report on the action taken in pursuance of notice, dated 21.7.2015, issued to respondent No.5. As the report was not made available to the Court by 12.11.2015, this Court has directed respondent No.3 to be personally present and show cause why action shall not be taken against him for disobedience of the above-mentioned order.

Today, respondent No.3 is personally present.

Learned Government Pleader for Panchayat Raj (Telangana State) submitted that respondent No.3 has furnished his report to the office of the Government Pleader on 03.11.2015 itself and that due to some communication gap, the said report could not be filed in the Court earlier. He has further pointed out that the report was filed in the Registry. He has read the contents of the report, wherein it is stated that an enquiry has been held by respondent No.4 against respondent No.5 on three allegations and action has already been initiated. Learned Government Pleader has further stated that after verification of the enquiry report submitted by respondent No.4, respondent No.3 issued proceedings, vide Proc.No.3002/2015-B1(Pts), dated 28.10.2015, whereby the cheque drawing power of respondent No.5 was restricted by authorising her to draw all the funds of the Gram Panchayat, including the general funds, only with the counter-signature of the Extension Officer (PR & RD), Kodad; that a show cause notice, dated 28.10.2015, was issued on the same day to respondent No.5 calling upon her to submit her explanation within 15 days on the allegation of misappropriation of Rs.1,03,933/-; and that further action will be taken after receipt of explanation from respondent No.5.

The above-noted contents of the report of respondent No.3 would show that appropriate action is being taken by the competent authority against respondent No.5 and therefore, no further

adjudication of the Writ Petition is necessary.

The Writ Petition is, accordingly, closed.

As a sequel to closure of the Writ Petition, W.P.M.P.Nos.41668 and 43514 of 2015 are dismissed as infructuous.

JUSTICE C.V.NAGARJUNA REDDY

18th November, 2015

DR