

HON'BLE SRI JUSTICE A. RAJASHEKER REDDY

Writ Petition No.7690 of 2015

Date: 31-03-2015

Between:

Kadavath Sawal Singh

.. Petitioner

AND

The State of Telangana, represented by its
Principal Secretary, Panchayat Raj Department
Secretariat, Hyderabad and 2 others

.. Respondents

HON'BLE SRI JUSTICE A. RAJASHEKER REDDY

Writ Petition No.7690 of 2015

ORDER:

-

This writ petition is filed for a mandamus declaring the action of the 3rd respondent in not passing any orders in spite of receipt of explanation dated 13-10-2014 submitted to the show cause notice dated 07-10-2014 bearing No.B/451/2014-(Pan) and another explanation dated 08-01-2015 submitted to the show cause notice issued by the 2nd respondent dated 27-12-2014 bearing No.451/2014-B5 (Pan) as illegal and arbitrary and for a consequential direction to respondents 2 and 3 to pass necessary orders.

2. The case of the petitioner is that he has been elected as Sarpanch of

Maqdoompur Gram Panchayat, Nizamsagar Mandal, Nizamabad District and he was again elected as Sarpanch and during the tenure as Sarpanch, he undertook various developmental activities in the village without any complaint or adverse remarks from any corner. While so, the 3rd respondent issued a show cause notice dated 07-10-2014 bearing No.G5/451/2014-(Pan) as to why his cheque powers should not be withdrawn on the allegation of misappropriation of GRGF funds to an extent of 4,00,000/- pertaining to the year 2013-2014, pursuant to which, the petitioner submitted his explanation on 13-10-2014. It is also stated that the 2nd respondent also issued another show cause notice dated 27-12-2014 bearing No.451/2014-B5 (Pan) as to why he shall not be removed from the post of Sarpanch, for which also, the petitioner submitted his explanation on 07-02-2015 and the respondent authorities neither considered the explanations nor passed any orders. Since no orders are passed in pursuance of the show cause notice dated 27-12-2014, the petitioner is unable to do the left over works as construction material is dumped at the spot. Aggrieved by the same, the present writ petition is filed.

3. Heard the learned counsel for the petitioner and the learned Government Pleader for Panchayat Raj.

4. Having issued the show cause notice dated 27-12-2014, the concerned authority after receipt of explanation cannot keep the matter pending. In view of the same, the concerned authority is directed to pass appropriate orders in pursuance of two show cause notices dated 07-10-2014 and 27-12-2014 respectively, after giving a reasonable opportunity of hearing to the petitioner, within a period of three (3) weeks from the date of receipt of a copy of the order.

With the above direction, the writ petition is disposed of. There shall be no order as to costs. As a sequel thereto, miscellaneous petitions, if any, pending shall stand closed.

A. RAJASHEKER REDDY, J

Date: 31-03-2015

Ksn