

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.2704 of 2012

Date: 03.11.2015

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Between:

Dokku Nirmala W/o Maha Lakshmaiah,
Aged 35 years, Occu: Field Assistant in
National Rural Employment Guarantee Scheme,
Peteru Gram Panchayat, Repalle Mandal,
Guntur District and another.

.....Petitioners

And

The District Collector, Guntur, Guntur District
and two others.

.....Respondents

The Court made the following:

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ORDER:

Petitioners challenge the show-cause notices issued by the Project Director, District Water Management Agency, Guntur, on 17.02.2011. In the show-cause notice, it is alleged that due to negligence in performance of the duties by the petitioners as Field Assistants, the amounts mentioned in the show-cause notices are being misused and, therefore, they were called to submit their explanation as to why action should not be taken against them. Petitioners filed their explanations against the said show cause notices. After filing of the explanations, apprehending that the respondent authorities are going to take action without considering their explanations, this writ petition is filed.

2. This writ petition is pending consideration of this Court since 2012. No interim orders are passed in favour of the petitioners. Petitioners as well as respondents have not stated about the present stage of the proceedings. What is challenged in this writ petition is show-cause notices issued calling upon the petitioners to explain as to why action should not be taken on the allegation of misuse of the public funds and petitioners have submitted their explanations.

Whenever it comes to the notice of the competent authority that the public funds are being misused by the employees, it is always open to the competent authority to initiate proceedings against them for recovery of the amount and take appropriate action as warranted by law. In the instant case, petitioners are working under the control of the Project Director, District Water Management Agency, Guntur and the show-cause notices were issued by the Project Director and, therefore, it cannot be said that Project Director is not competent to

issue show-cause notices calling upon the petitioners to submit their explanations. Thus, it is not a case of error of jurisdiction warranting interference by this Court. Furthermore, what is challenged is only a show-cause notice and, therefore, this Court is not inclined to entertain the writ petition and to grant the relief as sought by the petitioners.

3. Thus, the writ petition is not maintainable and accordingly dismissed. It is always open to the petitioners to avail appropriate remedies as warranted by law against any final decision taken on the subject issue.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

JUSTICE P. NAVEEN RAO

Date: 03.11.2015
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HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No. 2704 of 2012

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Date: 03.11.2015

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