

HONOURABLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.12003 OF 2015

ORDER :

This petition is filed for a writ of *Mandamus* declaring the action of the respondents 1 to 3 in not declaring and appointing the petitioner as Sarpanch of Ammapally Village of Thimmajipet Mandal, Mahabubnagar District as illegal and arbitrary and contrary to Section 19(3) of the Panchayat Raj Act, 1994 and consequently to direct the respondents 1 to 3 to declare the petitioner as Sarpanch of Ammanpally Village of Thimmajipet Mandal, Mahabubnagar District.

It is the case of the petitioner that he has filed PR.O.P.No.1 of 2013 to disqualify the 4th respondent herein (1st respondent in O.P.No.1 of 2013) to hold the office of Sarpanch under Section 19(3) of the A.P.Panchayat Raj Act, 1994 and the same was allowed vide order dated 24.03.2014 and he ceased to hold the office of Sarpanch, Grampanchayat of Ammapally Village of Thimmajipet Mandal, Mahabubnagar District. In pursuant to the same, the petitioner made representation on 09.02.2015 to the respondents 2 and 3 for appointing him as Sarpanch of Grampanchayat of Ammapally Village of Thimmajipet Mandal, Mahabubnagar District, but no action has been taken. Aggrieved by the same, the present writ petition is filed.

Heard Sri A.Giridhar Rao, learned counsel for the petitioner as well as learned Government Pleader for Panchayat Raj.

A perusal of the order dated 24.03.2014 in P.R.O.P.No.01 of 2013, it is clear that no relief is granted in favour of the petitioner to appoint himself as Sarpanch in the place of 4th respondent, who has been declared disqualified to hold the post of Sarpanch of Grampanchayat of Ammapally Village of Thimmajipet Mandal, Mahabubnagar District. When no such relief is granted in the said order, the question of appointing the petitioner as Sarpanch in the place of 4th respondent does not arise. More over, the petitioner has not brought to my notice any provision of law which empowers the respondents 1 to

3 for declaring the petitioner as Sarpanch of Grampanchayat of Ammapally Village of Thimmajipet Mandal, Mahabubnagar District. In the absence of the same, the petition is to be treated as misconceived and same is liable to be dismissed.

Accordingly, this writ petition is dismissed. There shall be no order as to costs. As a sequel thereto, miscellaneous petitions, if any, pending in the writ petition, shall stand dismissed.

A.RAJASHEKER REDDY, J

24.04.2015

kvs.

HONOURABLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.12003 OF 2015

Date: 24.04.2015

kvs