

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.3611 OF 2010

ORDER:

This writ petition is filed seeking to issue a writ, order or direction more particularly, one in the nature of writ of *Mandamus* to direct the respondents to release the Incentive Award amount to the petitioner Gram Panchayat forthwith.

2. Case of the petitioner Gram Panchayat is that the Government of Andhra Pradesh announced Incentive Award to a tune of Rs.5,00,000/- to the unanimously elected Gram Panchayat bodies throughout the state. Since elected body to the petitioner Gram Panchayat was elected unanimously, proposals were sent by respondent No.4 to respondent No.2 for grant and release of Incentive Award amount vide Rc.No.3909/05/Elections – Unanimous/C, dated 06.02.2009, and Rc.No.1040/09.C, dated 02.06.2009, stating that the petitioner Gram Panchayat is eligible for grant of Incentive Award amount as elections were held unanimously in the year 2006, but the Incentive Award amount was not released to the petitioner. Hence, the present writ petition is filed.

3. Though the writ petition was admitted on 18.02.2010, no counter-affidavit is filed by the respondents and today also, learned Assistant Government Pleader for Panchayat Raj and Rural Development (Andhra Pradesh) appearing for the respondents sought time.

4. The proceedings in Rc.No.1040/09.C, dated 02.06.2009, issued by respondent No.2 clearly indicate that the elections to the petitioner Gram Panchayat were held unanimously and hence, the petitioner Gram Panchayat is entitled for sanction of the Incentive Award amount. Since no counter-affidavit is filed, it should be taken that the affidavit in the writ petition is true and the relief sought for has to be granted. Hence, respondent Nos.1 and 2 are directed to release the Incentive Award amount

to the petitioner Gram Panchayat forthwith.

5. Accordingly, the Writ Petition is allowed. There shall be no order as to costs.

6. Miscellaneous Petitions pending, if any, in this Writ Petition shall stand closed.

JUSTICE A.RAJASHEKER REDDY

Date: 06.10.2015

AMD

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THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

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