

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION NO.7824 of 2016

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Between:

Smt. G. Sarada Devi

PETITIONER

AND

1. The State of Andhra Pradesh, rep. by its Principal Secretary,
Panchayat Raj and Rural Development Department, Secretariat
Buildings, Hyderabad, and others.

RESPONDENTS

ORDER:

This writ petition is filed seeking the following relief –

“....to issue a Writ, order or direction more particularly one in the of merit of mandamus directing the Respondents herein to provide petitioner to withdraw/drawing of the amounts/funds to use for development of the Gram Panchayat, Lakkavaram. Chodavaram Mandal, Visakhapatnam district and consequentially set aside he orders dated 26/03/2015 in LPR No. 21/2014 A3 issued by the 2nd Respondent herein it and restore the powers of the Sarpanch, Gram Panchayat, Lakkavaram Village, Chodavaram Mandal, Visakhapatnam District to withdraw funds etc. in the interest of justice...”

The case of the petitioner is that she was elected as Sarpanch of Gram Panchayat, Lakkavaram, Chodavaram Mandal, Visakhapatnam District. While so, notice dated 26.03.2015 was issued to the petitioner alleging certain financial irregularities, directing her to submit her explanation within a period of 15 days with necessary evidence. In the same proceedings the cheque drawing power of the petitioner was withdrawn and the same was temporarily directed to be entrusted to the 3rd respondent. The petitioner submitted her explanation on 7.04.2015, and taking note of the said explanation, the 2nd respondent directed the 3rd respondent to complete the enquiry within 15 days and pass necessary orders and with a further direction to submit the enquiry report to the 2nd respondent. The grievance of the petitioner is that in spite of the same, even as on today, no enquiry has been conducted by the 3rd respondent and the cheque drawing power has not been restored in faovur of the petitioner. Therefore, the present writ petition is filed.

Having considered the arguments of the learned counsel for the petitioner, learned Government pleader for Panchayat Raj for

respondents 1 and 2 and Sri Ravi Cheemalapati, learned Standing Counsel for respondents 3 to 5, this writ petition is disposed of at the admission stage.

Though the petitioner has prayed for setting aside of the order dated 26.03.2015, as it is only a show cause notice to which the petitioner had admittedly submitted her explanation, interest of justice would be served, if a direction is issued to the 3rd respondent to complete the enquiry and pass appropriate final orders in a time bound manner.

Accordingly the writ petition is disposed of. Considering the fact that the petitioner was prompt in submitting her explanation by 7.04.2016 itself, the 3rd respondent shall complete the enquiry within a period of four weeks from the date of receipt of a copy of this order and pass necessary orders and also comply with the order of the 2nd respondent by submitting a report to him.

As a sequel, pending miscellaneous petitions, if any, shall stand closed. No order as to costs.

CHALLA KODANDA RAM, J.

11th March, 2016
Js.