

HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION No.1994 of 2016

Date:01.02.2016

Between:

Shaik Saleem,
S/o Masthan and five others.

..... Petitioners

And:

The State of Telangana., repled, by its
Principal Secretary, Panchayat Raj
Department, Hyderabad and four others.

.....Respondents

Counsel for the Petitioners: Mr. Venkateswarlu Sanisetty

Counsel for Respondent Nos.1 & 4: AGP for Panchayat Raj
(TS)

Counsel for Respondent Nos.2 & 3: AGP for Revenue (TS)

The Court made the following:

ORDER:

Feeling aggrieved by the action of respondent No.4 in trying to impose a lighter punishment of withdrawal of cheque drawing power on respondent No.5, instead of recommending action for his removal for the alleged misappropriation of more than Rs.7 lakhs, the petitioners filed this Writ Petition.

On 25.01.2016, this Court has passed the following order:

“It is disheartening to note that in the face of

categorical findings rendered by respondent No.3 in his report *vide* RCF/1008/2015, dated 09.09.2015, holding respondent No.5 guilty of misappropriation of huge Gram Panchayat funds, respondent No.4 has chosen to soft pedal the issue by proposing only withdrawal of cheque power.

Respondent No.4 is directed to be personally present before this Court on the next date of hearing to explain as to what reasons impelled him in not proposing removal of respondent No.5 and proposing action only to the extent of withdrawing his cheque power.”

In pursuance of the above order, respondent No.4 is personally present and has submitted that he is newly posted as District Panchayat Officer, Prakasam District, Ongole and that because of his inexperience, he could not make proper recommendation to respondent No.2. He has undertaken before this Court that proper report will be submitted to respondent No.2, on or before 05.02.2016, for initiating action against respondent No.5 under Section-249 of the Andhra Pradesh Panchayat Raj Act, 1994 (for short ‘the Act’).

In the light of the above-noted submissions of respondent No.4, the Writ Petition is disposed of with the direction to him to send a report to respondent No.2 for initiating action against respondent No.5 under Section-249 of the Act. On receipt of such report, respondent No.2 shall initiate action, take an appropriate decision against respondent No.3 after notice to him and after following the procedure prescribed under Section-249 of the Act.

As a sequel to disposal of the Writ Petition, W.P.M.P.No.2526 of 2016 shall stand disposed of as infructuous.

*JUSTICE C.V.NAGARJUNA
REDDY*

*01st February, 2016
DR*