

HONOURABLE SRI JUSTICE S.V.BHATT

WRIT PETITION No. 5834 of 2016

DATED 24TH FEBRUARY, 2016

BETWEEN

K. Tulasi Bai

...Petitioner

And

The State of Andhra Pradesh,
Rep. by its Principal Secretary,
Panchayat Raj & Rural Development Department,
Secretariat, Hyderabad and ors.

...Respondents.

HONOURABLE SRI JUSTICE S.V.BHATT

WRIT PETITION No. 5834 of 2016

ORDER:

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The petitioner is the elected Sarpanch of Venigandla Gram Panchayat, Pedakakani Mandal, Guntur District. The third respondent issued show cause notice Roc.No.5411/2015-G4 dated 5.12.2015 and called upon the petitioner to show cause on the charges levelled against her and pending enquiry, the third respondent in exercise of power under second proviso to Rule 42(1) of the Panchayat Raj Rules had withdrawn cheque power of the petitioner.

From the material placed before this Court, it is evident that on 28.12.2015 the petitioner submitted a detailed explanation on each and every one of the allegations levelled against her. One of the complaints of the petitioner is that the third respondent is not conducting enquiry on the show cause

notice dated 5.12.2015. The continuous restriction on cheque withdrawal power would result in hardship and deprivation of right of the petitioner to work as Sarpanch of Venigandla Gram Panchayat. On 28.12.2015 a copy was also marked to the District Collector, till date neither of the respondents had taken action. Hence the Writ Petition.

I have perused the material available on record and took note of the submission of learned Counsel appearing for the parties. Having regard to the nature of disposal of the Writ petition, I am not referring to the material available on record. To meet the ends of justice it is suffice to direct the third respondent to complete the enquiry initiated pursuant to show cause notice Roc.No.5411/2015-G4 dated 5.12.2015 as expeditiously as possible preferably within a period of three weeks from the date of receipt of a copy of this order. It is needless to observe that while considering and disposing of the explanation of the petitioner, the third respondent shall follow due procedure prescribed under law.

With the above direction, the Writ Petition is disposed of at the admission stage.

Miscellaneous petitions pending consideration if any in the Writ Petition shall stand closed in consequence. No order as to costs.

JUSTICE S.V.BHATT

DATED 24TH February, 2016.
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