

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.12322 of 2016

ORDER:

-

The petitioner challenges the show-cause notice dated 17-02-2016 issued to the petitioner on the ground that the petitioner has misappropriated the amounts in the Gram Panchayath. The show-cause notice is not questioned on the ground of want of jurisdiction. Normally this Court does not interfere at the stage of show-cause notice, unless it is without jurisdiction. It is not the case of the petitioner that the 3rd respondent has no jurisdiction to issue the show-cause notice.

Now, the grievance of the petitioner is that his cheque power was suspended temporarily pending final orders to be passed under rule 42(1) of G.O.Ms.No.30, Panchayat Raj and Rural Development, dated 20-01-1995. The petitioner has already submitted his explanation to the impugned show-cause notice.

In view of the same, the 3rd respondent has to consider the explanation of the petitioner and afford opportunity of hearing to the petitioner and pass final orders under Rule 42(1) of G.O.Ms.No.30, Panchayat Raj and Rural Development, dated 20-01-1995 within a period of two weeks from the date of receipt of copy of order and

communicate the same to the petitioner. If no orders are passed in the above said period, the suspension of the cheque powers will stand suspended till final orders are passed by the 3rd respondent, since temporary measures cannot go for unlimited period, as main order has to be passed under Rule 42 (1) of G.O.Ms.No.30 requires to be issued for specified period.

As a sequel thereto, miscellaneous petitions, if any, pending in this Writ Petition, shall stand closed.

A.RAJASHEKER REDDY,J

13-04-2016

Note: issue C.C. by 18-04-2016.

B/o.

Nvl

