

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

Writ Petition No. 28241 of 2017

Order:

Heard learned counsel for the petitioner.

The case of the petitioner is that the fourth respondent was elected as Sarpanch of Pathagunta village, Vedurkuppam Mandal, Chittoor District in the election that took place in the year 2013. It is alleged by the petitioner that the Sarpanch was misappropriating the panchayat funds and committed several irregularities. In that connection, the villagers gave a representation to the District Panchayat Officer, third respondent and to the second respondent - District Collector. Basing on the said representation, a preliminary enquiry was conducted by the Extension Officer of the Grampanchayat and submitted a report to the third respondent on 30.01.2016. Based on the same, an order was passed by the third respondent on 09.02.2016 cancelling the cheque drawing powers of the fourth respondent. However, the fourth respondent submitted the records and, after submission of the records, having been satisfied with the same, the third respondent passed the impugned order on 12.07.2017 restoring the cheque drawing powers and the same is challenged in the present Writ Petition.

It is clear from the above facts that on the basis of the complaint and preliminary enquiry the cheque drawing powers of the fourth respondent were suspended on 09.02.2016 and the same is restored now by the impugned order dated 12.07.2017 after the third respondent satisfied himself with regard to record submitted by the fourth respondent. Since the third respondent exercised his discretion after

perusing the records and in the absence of any acceptable material before this Court, this Court cannot interfere with such an order.

The Writ Petition is, accordingly, dismissed. There shall be no order as to costs.

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

A. RAMALINGESWARA RAO, J

Date: 23.08.2017
Nsr

