

THE HONOURABLE Dr. JUSTICE B. SIVA SANKARA RAO

WRIT PETITION No.23537 of 2017

ORDER :

This Writ Petition is filed under Article 226 of the Constitution of India, seeking the following relief:

“..to issue an appropriate writ, order or direction more particularly one in the nature of the Writ of Mandamus, declaring the action of the 2nd respondent in issuing the show cause notice No.5992/ 2016-B(Pan)/ A2 dt.27.05.2017 with similar to earlier allegations dt 26-11-2016 and pending consideration of the petitioner explanation dt.16-01-2017 as illegal, arbitrary and against the principles of natural justice in contrary to the Section 249(1) & 6 of Telangana State Panchayat Raj Act 1994 and consequently to direct the 2nd respondent to drop the show cause notice dt.27-05-2017 and to pass such other orders as are necessary in the interests of justice.”

Heard learned counsel for the petitioner, learned Government Pleaders for Panchayat Raj and Revenue appearing for respondents 1 to 5 and Sri G.Narender Reddy, learned Standing Counsel for respondent No.6 and perused the prayer in the writ petition with supporting affidavit and other material on record.

The grievance of the petitioner in impugning the Show Cause Notice No.5992/ 2016-B1(Pa)/ A2 dated 27.05.2017 is that despite reply given by him on 29.06.2017 to the District Collector acknowledged on 30.06.2017, the respondent Authorities are not considering the same.

Earlier, this Court, by order dated 05.06.2017 in relation to earlier notice dated 02.05.2017 similar to the allegations of the

earlier notice dated 20.06.2016, even submitted explanations by the petitioner on 19.09.2016 and 30.04.2016 respectively alleging not considering and going to take coercive action, disposed of the writ petition, with a direction to avail statutory remedy of appeal, if at all aggrieved.

It is the submission of the learned Government Pleader for Panchayat Raj and also learned Standing Counsel appearing for the 6th respondent-Kothuru Grampanchayat that to the show cause notice dated 20.07.2017 reply received on 30.06.2017 by the Collector is under consideration to pass appropriate orders.

Having regard to the above, the Writ Petition is disposed of. Any taking of coercive action against the petitioner is after disposal of the said representation and communication to the petitioner. As observed in the earlier round of litigation, the petitioner can avail statutory remedy of appeal to impugn the same in such an event.

Consequently, miscellaneous petitions, if any, pending shall stand closed. No costs.

Dr. B.SIVA SANKARA RAO J,

Date:24.07.2017
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