

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.782 of 2008

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed by the petitioner seeking to call for the records relating to G.O.Rt.No.67, Panchayat Raj & Rural Development (PTS.II) Department, dated 17.01.2008, of the 1st respondent, dismissing the appeal filed by the petitioner questioning the orders passed by the 2nd respondent removing the petitioner as Sarpanch of the Gram Panchayat of Narkatpally, Nalgonda District in proceedings, dated 22.10.2007, and quash the same.

Heard and perused the material available on record.

The main grievance of the petitioner is that the G.O. impugned, passed by the 1st respondent, is not a speaking order and further, the counsel for the petitioner was not given an opportunity to put forth his arguments in the case and when he sought for an adjournment for arguing the case, his request was rejected and the said order was passed by the 1st respondent.

After hearing the arguments and after perusing the record, this Court is of the view that the petitioner can be given an opportunity to put forth his arguments before the appellate authority. Hence, this Court is inclined to pass the following order:

The order passed by the 1st respondent in G.O.Rt. No.67, dated 17.01.2008, is hereby set aside and the matter is remanded to the 1st respondent to consider the same afresh and pass appropriate orders as expeditiously as possible, after giving an opportunity to the petitioner as well as the other parties concerned.

Accordingly, the writ petition is disposed of. No order as to costs.
Consequently, miscellaneous petitions pending, if any, shall stand closed.

RAJA ELANGO, J

August 21, 2017
KTL

