

THE HON'BLE SRI JUSTICE A.V.SESHA SAI

W.P.No.6149 of 2017

ORDER:

This writ petition is filed under Article 226 of the Constitution of India, seeking the following relief:

“To issue a Writ, Order or Direction, particularly one in the nature of Writ of Mandamus, declaring the action of the 2nd Respondent in issuing the impugned proceeding dated 21/04/2016, Vide R.O.C.No. 2731/2015, Para 7, against the petitioner contemplating prohibition of withdrawal of funds and conferring powers on the 4th Respondent as illegal, arbitrary in violation of the provisions of G.O.Ms.No. 30, dated 29/01/1995 and consequently direct the respondents to allow the petitioner to sign the cheques or orders Under Rule 40 of G.O.Ms.No. 30, dated 29/01/1995”.

2. Today, when the matter is called, it is represented by the learned counsel for the petitioner as well as the learned Government Pleader appearing for Respondents that the issue in the present writ petition is squarely covered by the judgment of this Court in Somagani Venkata Subbamma v. District Panchayat Officer, Krishna district and another¹ and operative portion of the judgment at paragraph 9 reads as under:

“In this case, the petitioner herein was prohibited from drawing the Gram Panchayat funds permanently and completely, which is not contemplated under Rule 42(1) of the Rules. For this reason, the writ petition has to be allowed”.

3. Following the above referred judgment and for the reasons recorded therein, this writ petition is also allowed, setting aside the proceedings issued

¹ 2006(4) ALD 1

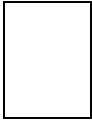
by the 2nd respondent vide Roc.No.2731/2015 dated 21.4.2016. However, it is open for the Respondents to take appropriate action against the petitioner, in accordance with law. As a sequel, the miscellaneous petitions, if any, shall stand closed. There shall be no order as to costs.

A.V.SESHA SAI, J

Date: 8.3.2017

Note:
Issue C.C. forthwith.
B/o
DA





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