

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

W.P.No.7518 of 2017

ORDER:

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

“To issue a Writ or order or direction, more particularly one in the nature of Writ of Mandamus, declaring the action of the 3rd respondent in issuing proceedings Rc.No. P2/1063/2016 dated: 16.2.2017 freezing the cheque drawing powers of the petitioner being Sarpanch of Daredu Grampanchayat, Raghunathapalem Mandal, Khammam District without considering the explanation dated: 17.10.2016 and the Vouchers/Receipts as bad, arbitrary, illegal and Unconstitutional and consequently direct the respondents to permit the petitioner to discharge his duties as Sarpanch of Daredu Grampanchayat, Raghunathapalem Mandal, Khammam District with cheque drawing power”.

2. Today, when the matter is called, it is represented by the learned counsel for the petitioner as well as by 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 another<sup>1</sup> and operative portion of the said 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”.

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<sup>1</sup> 2006(4) ALD 1

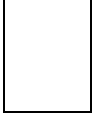
3. Following the above referred judgment and for the reasons recorded therein, this writ petition is also allowed, setting aside the proceedings issued by the 3<sup>rd</sup> respondent vide Roc.No.P2/1063/2016 dated 16.2.2017. However, it is open for the Respondents to take appropriate action against 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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8.3.2017

DA