

HON'BLE SRI JUSTICE A.V. SESA SAI

WRIT PETITION No.15478 of 2017

ORDER:

The proceedings Rc.No.A2/E-600531/2017, dated 15.04.2017, issued by the 3rd respondent – Panchayat Officer, Eluru Mandal, West Godavari District, withdrawing the cheque power of the petitioner herein is under challenge in the present writ petition.

2. Heard Sri Koney Satyananda Rao, learned counsel for the petitioner, learned Government Pleader for Panchayat Raj appearing for respondent Nos.1 to 3, and Sri Ravi Cheemalapati, learned Standing Counsel appearing for respondent Nos.4 to 6.

3. When the matter is taken up for hearing, it is submitted by the learned Government Pleader for Panchayat Raj that the very writ petition filed by the petitioner is not maintainable in view of an effective alternative remedy of appeal available to the petitioner under Rule 42(2) of the Rules Relating to Certain Taxes and Lodging of Moneys Received by the Gram Panchayat and Payment of Money from the Gram Panchayat Fund notified vide G.O.Ms.No.30, PR, RD & R, dated 20.01.1995.

4. As per the above said provision of law, whoever is aggrieved by the order passed by the District Panchayat Officer under sub-rule (1) of Rule 42 of the said Rules withdrawing the cheque power can file an appeal before the District Collector concerned.

5. In view of the availability of alternative remedy of appeal, this Court is not inclined to entertain the present writ petition. However, the petitioner is at liberty to file an appeal against the order under challenge before the District Collector, West Godavari District, within a period of two weeks from the date of receipt of a copy of this order. If any such appeal is preferred by the petitioner, the same may be considered and appropriate orders be passed in accordance with law.

6. Accordingly, this writ petition is disposed of. As a sequel, Miscellaneous Petitions pending consideration, if any, in the Writ Petition shall stand closed. No order as to costs.

JUSTICE A.V. SESA SAI

26.04.2017.
Msr

HON'BLE SRI JUSTICE A.V. SESA SAI

WRIT PETITION No.15478 of 2017



26.04.2017
Msr