

THE HON'BLE SRI JUSTICE S. V. BHATT

WRIT PETITION No. 29250 of 2012

ORDER:

Heard Mr.P.Gangarami Reddy for petitioner and the Government Pleader for Panchayat Raj, for Respondents.

2. The petitioner challenges notice issued in Roc.No.2156/ 2011-A4, dated 01.09.2012 by the 1st Respondent as illegal and unconstitutional.

3. Mr.Gangarami Reddy, submits that the notice, for all purposes as on date, is academic in nature for, according to him, the Commissioner, Panchayat Raj on 27.02.2015 passed order determining the liability as payable by the Panchayat Secretaries, and hence, the cause in the present writ petition does not survive.

4. This Court is of the view that the notice was issued against the petitioner herein as well as the Panchayat Secretaries of Sullurpet Gram Panchayat. If a final order on the subject matter of this notice is passed by the Commissioner, Panchayat Raj, it is always open to petitioner to place the orders so passed before the 1st Respondent/ District Panchayat Officer, and request him to terminate the proceedings issued in this writ petition.

5. Hence, having regard to the above reasons, the writ petition is disposed of by this order.

The petitioner is given liberty to file the orders of Commissioner before the Respondents by enclosing a copy of this order, and the Respondents are directed to consider the effect of orders of Commissioner on the charges referred to in the impugned notice, and if the issue is already decided by the Commissioner, take a decision as is warranted, and communicate the decision to petitioner. The parties are directed to carry out the exercise referred to above, as expeditiously as possible, preferably within three months from the date of receipt a copy of this order.

6. The writ petition is disposed of accordingly. As a sequel, the miscellaneous applications pending, if any, shall stand closed. There shall be no order as to costs.

January 30, 2017
Kv



S. V. BHATT, J

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Dated: January 30, 2017

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