

HON'BLE SRI JUSTICE A.V. SESA SAI

WRIT PETITION No.15486 of 2017

ORDER:

The proceedings No.1096/2016/A2, dated 17.04.2017, issued by the 1st respondent – District Panchayat Officer, Warangal Rural District, Warangal, withdrawing the cheque power of the petitioner herein permanently is under challenge in the present writ petition.

2. Heard Sri P.V. Ramana, learned counsel for the petitioner as well as the learned Government Pleader for Panchayat Raj and Rural Development appearing for the respondents.

3. According to the learned counsel for the petitioner, the withdrawal of the cheque power cannot be made permanently. In support of his contention, the learned counsel placed reliance on a judgment of this Court in SOMAGANI VENKATA SUBBAMMA v. DISTRICT PANCHAYAT OFFICER, KRISHNA¹, wherein at para-9, this Court held 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.”

¹ 2006 (4) ALD 1

4. Following the aforesaid judgment and for the reasons assigned therein, this writ petition is allowed in terms of the said judgment, setting aside the impugned order dated 17.04.2017. However, it is open for the respondents herein to take appropriate action against the petitioner in accordance with law.

5. As a sequel, Miscellaneous Petitions pending consideration, if any, in the Writ Petition shall stand closed.
No order as to costs.

26.04.2017.
Msr

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