

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

WRIT PETITION No.13349 of 2017

ORDER:

The petitioners herein are the residents of Velagapadu Village, Kaligiri Mandal, SPSR Nellore District.

2. The grievance of the petitioners herein in the present Writ Petition is non-conclusion of the proceedings initiated against the 7th respondent-Sarpanch, Velagapadu Gram Panchayat. A show-cause notice, bearing Roc.No.1978/2015-A4, dated 28.08.2015, was issued by the District Panchayati Raj Officer, SPSR Nellore District and the 7th respondent herein submitted an explanation on 15.09.2015. Thereafter, the Divisional Panchayat Officer, Kavali, conducted an enquiry and submitted a report vide Roc.No.28/2016-B, dated 27.05.2016. Subsequently, the District Collector (Panchayat Division), SPSR Nellore District, issued a show-cause notice on 05.08.2016 as to why the 7th respondent should not be suspended from the office of Sarpanch under Section 249 (6) of the Andhra Pradesh Panchayat Raj Act, 1994.

3. It is also brought to the notice of this Court that earlier when the cheque power was withdrawn by the authorities, the District Collector refused to interfere with the same by way of an order, dated 04.07.2016.

4. In the above background, the complaint of the petitioners in the present writ petition is despite issuing a show-cause notice on 05.08.2016, no further action has been taken by the respondents herein against the 7th respondent. It is submitted by the learned

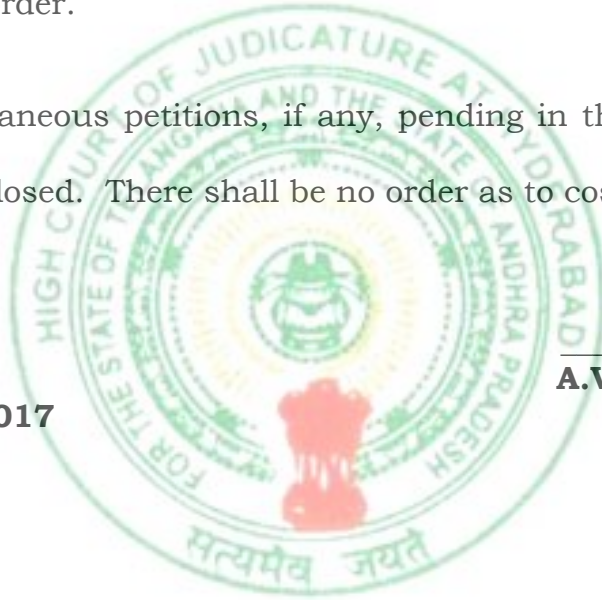
Government Pleader that simultaneously proceedings were also initiated against the Panchayat Secretary and he was also removed from service. Thus, there is failure on the part of the respondents herein in keeping the matter pending though show-cause notice was issued as long back as 05.08.2016.

5. For the aforesaid reasons, the Writ Petition is disposed of, directing the District Collector-3rd respondent herein to take further action pursuant to the show-cause, dated 05.08.2016, within a period of two (02) months from the date of receipt of a copy of this order.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed. There shall be no order as to costs.

APRIL 24, 2017
YVL

A.V.SESHA SAI, J



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Date: 24.04.2017

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