

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

W.P.No.30590 of 2016

ORDER:

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

“To issue an appropriate Writ, order or directions mostly one which is in the nature of a Writ of mandamus, declaring the proceedings in RC. No. 1015/2015/P9, Dated 02-03-2016 of the 2nd Respondent freezing the Cheque Power of the Petitioner as illegal, arbitrary, unconstitutional, unjustified and unsustainable and set-aside the same.”

2. When the matter is called, it is represented by the learned counsel for the petitioner that the issue in the present writ petition is squarely covered by the Judgment of this Court in *SOMAGANI VENKATAK SUBBAMMA v. DISTRICT PANCHAYAT OFFICER, KRISHNA DISTRICT AND ANOTHER*¹. In the said judgment, this Court at paragraph No.9, held as under:

“9. 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.”

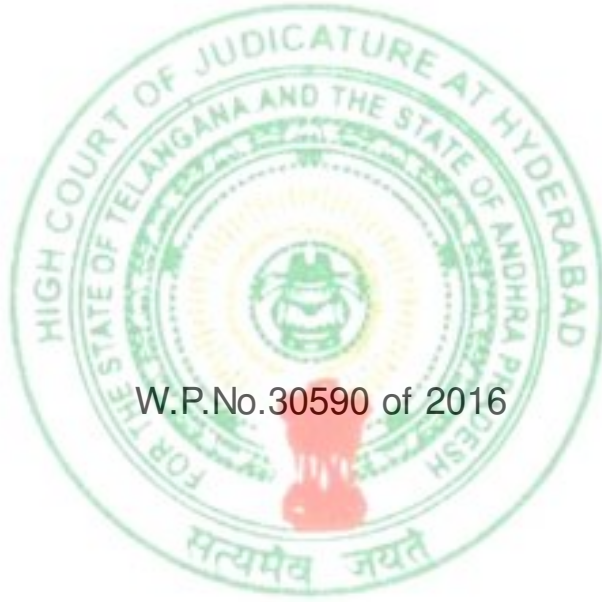
3. In view of the above judgment and for the reasons recorded therein, this writ petition is allowed, setting aside the Proceedings in R.C.No.1015/2015/P9, dated 02.03.2016. However, it is open for the respondents to take appropriate action, in accordance with law. As a sequel, the miscellaneous petitions, if any, shall stand disposed of. There shall be no order as to costs.

A.V.SESHA SAI, J

Date:01.02.2017
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¹ 2006 (4) ALD 1

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