

**THE HONOURABLE SRI JUSTICE A.V. SESA SAI**

**W.P. No.9946 of 2011**

**ORDER:**

Complaint in the present writ petition is non payment of amounts to the Sarpanches of their Grampanchayats for the works undertaken under NREGS funds despite releasing of the funds by the respondents 1 to 5.

During the course of hearing, it is submitted by the learned counsel for the petitioners that so far as the petitioners 1 and 2 are concerned, the amounts were already paid by the authorities.

In the counter affidavit filed by the 5<sup>th</sup> respondent-Mandal Parishad Development Officer, it is stated as under:

“Further, in respect of Mogullapally Gram Panchayat the Social Audit team pointed out that two Check dam works were executed at other locations than identified, on which an amount of Rs.2,68,969-00 was spent, which shall be recovered. The Technical Assistant who is joint signatory had signed the cheque for deducting the amount as per Social Audit objections but the Sarpanch was not available as he was hospitalized due to health problem. The Sarpanch is also now interested to pay the amount in favour of Punnam Chander, material Supplier.

Further in respect of the Gram Panchayat, Akinepally a cheque was already prepared in favour of B.Lavaiah.material supplier for Rs.4,96,545-00 on 20.8.2011 check dam works constructed the case of and sent to the Sarpanch to sign and draw the amount but he had refused to take the Cheque pleading that he want to get the full amount. Mean time there is an objection by the Social Audit, where in an amount of Rs.93,329-00 proposed for recovery.”

The learned counsel for the petitioners herein has made a request to permit the petitioners 3 and 4 herein to submit a fresh representation for redressal of their grievances for taking appropriate action by the

respondents, in accordance with law, and the same is not objected by the learned counsel for the respondents and has stated that the said representation, if any, would be considered, in accordance with law.

For the aforesaid, writ petition is disposed of, without expressing any opinion on the merits and demerits of the matter, keeping it open to the petitioners 3 and 4 herein to submit a fresh representation, within one month, from the date of receipt of a copy of this order, seeking redressal of their grievances, to the respondents herein and if any such representation is made by the petitioners 3 and 4 herein, the same be considered and appropriate orders be passed by the authorities, in accordance with law, within a period of three months from the date of such representation. As a sequel, the miscellaneous petitions, if any, shall stand closed. There shall be no order as to costs.

Date: 05.01.2017  
LSK

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A.V. SESA SAI, J

