

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WP No.34615 of 2017

ORDER:

The grievance of the petitioner is that by the impugned order dated 19-09-2017, the 3rd respondent has withdrawn the cheque power of the petitioner, who is a Sarpanch of Gram Panchayat, Aakuthotapally, Amangal Mandal, without specifying the period of suspension.

Learned counsel for the petitioner submits that such suspension of cheque power for unspecified period is bad in law and against Rule 42 (1) of the Rules issued in GO Ms. No.30, dated 20-01-1995.

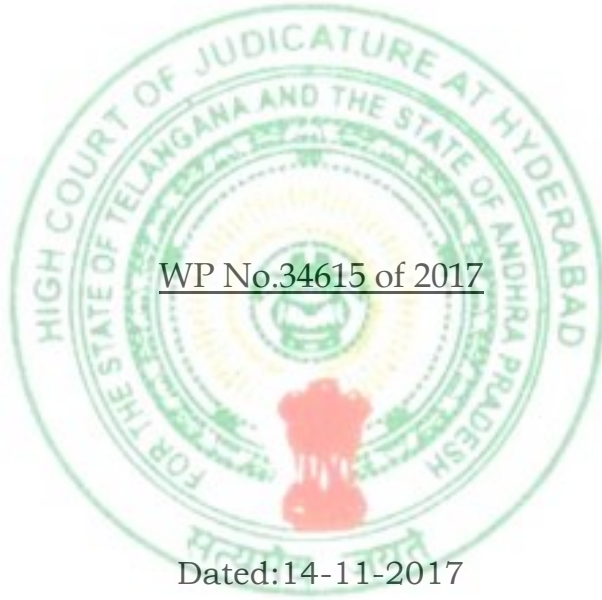
Rule 42 (1) of the Rules stipulates that suspension of cheque power of a Sarpanch shall only be for such period, as may be specified in the order. In this case, admittedly in the impugned order, Rule 42 (1) of the Rules is reckoned, but no period is mentioned which is violative of Rule 42 (1) of the Rules. The decision of this Court in SOMAGANI VENKATA SUBBAMMA vs. DISTRICT PANCHAYAT OFFICER, KRISHANA (2006 (4) ALD 1) is also on the same lines.

In the circumstances, the impugned order dated 19-09-2017 is set aside and the writ petition is allowed. However, this order will not preclude the respondent-authorities from proceeding against the petitioner by following Rule 42 (1) of the Rules, if so advised. Miscellaneous petitions, if any pending in this case are disposed of. There shall be no order as to costs.

A.RAJASHEKER REDDY, J

Dated:14-11-2017
NRG

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