

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.38676 of 2017

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed challenging the proceedings in R.O.C.No.1258/Pts/A1/2016, dated 06.11.2017, wherein the petitioner was removed from service as Upa-Sarpanch, after confidence motion, by virtue of sub-Section (2) of Section 245 of the Andhra Pradesh Panchayat Raj Act, 1994 (for short, 'the Act').

2. Learned counsel for the petitioner submits that while passing the impugned order, the respondents have not followed the procedure under Section 245 of the Act and the Rules framed thereunder and prayed to set aside the impugned order.

3. On the other hand, learned Assistant Government Pleader submits that after following the procedure as envisaged in the Act, the impugned order came to be passed. He further submits that the petitioner has an alternative remedy under Section 264 of the Act against the impugned order.

4. Since the petitioner has an alternate remedy under Section 264 of the Act against the impugned order, this Court is not inclined to entertain the writ petition.

5. Accordingly, the Writ Petition is dismissed, giving liberty to the petitioner avail the alternate remedy available under law. There shall be no order as to costs. Miscellaneous petitions, if any, pending shall stand closed.

A.RAJASHEKER REDDY, J

NOVEMBER 16, 2017

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HON'BLE SRI JUSTICE A.RAJASHEKER REDDY



WRIT PETITION No.38676 of 2017

Date: 16.11.2017

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