

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

W.P.NO.41687 OF 2017

O R D E R

Aggrieved by the proceedings of the 3rd respondent – District Panchayat Officer in Lr.No.A1/1570/2017-Pts., dated 1.12.2017, in initiating inquiry against the petitioner, who is the Sarpach of 5th respondent – Gram Panchayat, the present writ petition has been filed.

The learned counsel for the petitioner, based on the averments made in the writ affidavit, would submit that the 3rd respondent vide proceedings No.A6/1808/2015-Pan dated 17.08.2015 had withdrawn the cheque power to the petitioner on the allegations of misappropriation of funds. Challenging the same, petitioner filed writ petition in W.P.No.27250 of 2015. By interim order dated 26.08.2015 in WPMP.No.35360 of 2015 in W.P.No.27250 of 2015, this court granted interim suspension of the said proceedings dated 17.08.2015. The learned counsel further submits that for the very same allegations and more particularly, when the interim order of this court in the earlier writ petition filed by the petitioner, is in subsistence, the 3rd respondent by the impugned order, initiated inquiry against the petitioner and the same is illegal and arbitrary.

The learned Assistant Government Pleader for Panchayat Raj, produced written instructions along with a copy of the proceedings of the 3rd respondent in Lr.No.A1/1570-Pts., dated 6.12.2017, and submitted that the present inquiry was initiated pursuant to the fresh complaint filed by Upa Sarpanch and Ward Members of the 5th respondent – Gram Panchayat and the allegations under the present inquiry proceedings dated 1.12.2017, are not covered in the earlier inquiry, therefore, the contention of the petitioner that for the very same allegations, second

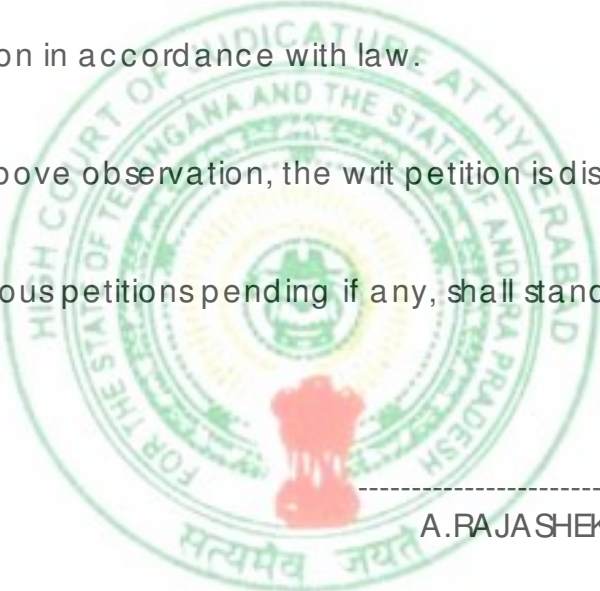
inquiry was initiated, is factually incorrect and, hence sought for dismissal of the writ petition.

As per the written instructions of the learned Assistant Government Pleader, the present inquiry is with regard to new allegations, which are not covered in the earlier proceedings dated 17.08.2015. Moreover it is only a preliminary inquiry, to know the truth or otherwise of allegations. Hence, petitioner cannot have any grievance.

If the respondents intend to proceed further in pursuance of impugned proceedings, the petitioner shall be furnished with all the relevant documents and after affording him opportunity, shall take appropriate action in accordance with law.

With the above observation, the writ petition is disposed of.

Miscellaneous petitions pending if any, shall stand closed. No order as to costs.



A.RAJASHEKER REDDY,J

DATE:21—12—2017

AVS