

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

W.P.NO.43235 OF 2017

O R D E R

The petitioner is the Sarpanch of Nandanoor Gram Panchayat of GD Nellore Mandal, Chittoor District. Vide proceedings of the 3rd respondent – District Panchayat Officer in Rc.No.605/2016B1(P) dated 1.2.2017, the petitioner was issued with show cause notice for the alleged misappropriation of Gram Panchayat funds and his cheque operating power for withdrawal of Gram Panchayat funds was temporarily cancelled for a period of thirty days. To the said show cause notice, petitioner submitted his explanation on 14.02.2017. The grievance of the petitioner is that the 3rd respondent without considering his explanation and passing any orders, has been extending the prohibitory orders from time to time till 30.11.2017. Hence the writ petition.

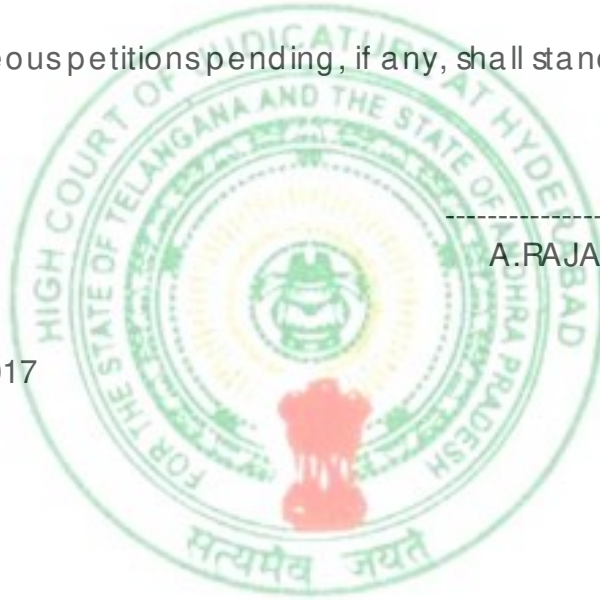
Heard the learned counsel for the petitioner, learned Government Pleader for Gram Panchayat for respondents 1 and 3, learned Government Pleader for respondent No.2 and Standing Counsel for respondents 4 and 5.

The petitioner was issued with show cause notice dated 1.2.2017 for alleged misappropriation of Gram Panchayat funds and his cheque operating power was withdrawn initially for a period of thirty days. The petitioner submitted his explanation on 14.02.2017. The 3rd respondent has not considered the said explanation and passed any orders. It is to be noticed that the cheque power was withdrawn in the month of February 2017 and even after lapse of ten months, no order has been passed.

Having regard to the facts and circumstances, the writ petition is disposed of directing the 3rd respondent to consider the explanation submitted by the petitioner on 14.02.2017 pursuant to show cause notice dated 1.2.2017, and after affording him an opportunity of hearing, shall pass appropriate orders in accordance with law, within a period of two weeks from the date of receipt of a copy of this order.

It is made clear that if no orders are passed by the 3rd respondent within the time stipulated in this order, the petitioner shall be permitted to operate the cheque for withdrawal of Gram Panchayat funds, in accordance with rules.

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



A.RAJASHEKER REDDY,J

DATE:19—12—2017

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