

THE HON'BLE SRI JUSTICE M.S.RAMACHANDRA RAO

W.P.Nos.42224, 43168 of 2016 & 25874 of 2017

COMMON ORDER:

Heard learned counsel for the petitioners and the learned Government Pleader for Services-II for respondents.

2. Learned counsel on both sides states that the issue raised in these Writ Petitions is covered by the order dt.07-08-2016 of the Division Bench of this Court in W.P.No.30095 of 2016 wherein this Court considered the A.P. Panchayat Raj Subordinate Service Rules contained in G.O.Ms.No.84 PR and RD (Mdl.II) Department dt.24-02-2010 and held that the Disciplinary Authority for the categories of Panchayat Secretary, Grade-I, is the Commissioner of Panchayat Raj and Rural Development, and that the District Collector cannot place them under suspension. Since in the instant case also, the petitioners are the Panchayat Secretaries, Grade-I and since the order of suspension of the petitioners was passed by the District Collector (2nd respondent), the said orders are clearly without jurisdiction.

3. Accordingly, all the Writ Petitions are allowed, the impugned orders dt.26-08-2016 in W.P.No.42224 of 2016, dt.09-08-2016 & 10-08-2016 in W.P.No.43168 of 2016 and dt.07-08-2016 in W.P.No.25874 of 2017 issued by the District Collector, Warangal District, are all set aside. However, this will not

preclude the competent authority from initiating appropriate proceedings against the petitioners. No costs.

4. As a sequel, the miscellaneous petitions, if any pending, shall stand closed.

JUSTICE M.S.RAMACHANDRA RAO

Date: 29-10-2018

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