

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

WRIT PETITION No.24830 of 2018

O R D E R:

Petitioner has assailed notice dt.06.07.2018 issued by the 2nd respondent on the ground that the 2nd respondent mentioned in the said notice Panchayat Raj Act, 1994 which had been repealed by the Telangana Panchayat Raj Act, 2018 with effect from 18.04.2018.

2. It is not in dispute that a no-confidence motion was served by certain members of the said Mandal Praja Parishad expressing no-confidence in the petitioner to the 2nd respondent, who is the President thereof on 04.07.2018, and on that basis only, 2nd respondent issued impugned notice dt.06.07.2018 to the petitioner, who is the President of the said Mandal Praja Parishad.

3. Under Section 263 of the Telangana Panchayat Raj Act, 2018 no notice of no-confidence motion can be made within four years from the date of assumption of the Office by the person against whom the motion is sought to be moved.

4. Admittedly, petitioner had assumed charge as president of the subject Mandal Praja Parishad on 04.07.2014 and the four year period ended on 03.07.2018. Therefore the no-confidence motion of the other members of the Mandal Praja Parishad against petitioner contained in the letter

dt.04.07.2018 to the 2nd respondent cannot be found fault with.

5. Merely because the 2nd respondent mentioned in the impugned notice the repealed act instead of the Telangana Panchayat Raj Act, 2018, the notice cannot be said to be invalid.

6. I therefore find no merit in the contention of the petitioner. The Writ Petition is accordingly dismissed at the admission stage. No order as to costs.

7. Consequently, miscellaneous petitions pending, if any, shall stand dismissed.

20th July, 2018.

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M.S.RAMACHANDRA RAO, J

