

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

WP. No.24957 of 2018

O R D E R:

Heard counsel for petitioner, the Government Pleader for Panchayat Raj appearing for respondents 1 to 3 and Sri K.K.Durga Prasad, Standing Counsel appearing for respondents 4 & 5.

2. Petitioner has impugned in this Writ Petition a show cause notice dt.19.05.2018 issued by the 2nd respondent and also imposition of restriction on him in drawing the 5th respondent-Gram Panchayat funds and seeks restoration of cheque power to him.

3. Counsel for petitioner does not dispute that the impugned show cause notice does not suffer from the defect of lack of jurisdiction. According to him, it has been issued because of the refusal of his client to join the ruling party. He also does not dispute that petitioner's term as Sarpanch is likely to expire by 31.07.2018.

4. In the absence of any defect in the impugned show cause notice issued by the 2nd respondent, I am of the opinion that the said show cause notice or the restriction imposed on the petitioner on drawing of funds of 5th respondent-Gram Panchayat, in view of the allegations of financial impropriety contained in the said show cause notice, does not warrant any interference in the Writ Petition. However, since the petitioner

claims to have given explanation to the show cause notice on 07.06.2018, the 2nd respondent shall pass final orders in the matter within a period of four (04) weeks from the date of receipt of a copy of this order and communicate the same to the petitioner.

5. The Writ Petition is disposed of as above. No order as to costs.

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

M.S.RAMACHANDRA RAO, J

19th July, 2018.

Note: Issue CC in three days.

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