

THE HONOURABLE SRI JUSTICE M.S.RAMACHANDRA RAO

WP.No.26759 of 2018

ORDER :

Heard the counsel for petitioner, and the learned Government Pleader for Panchayat Raj for respondent nos.1 and 4.

2. The petitioner herein, who is President of the Mandal Praja Parishad (M.P.P.), Pedduru Village, Garugubilli Mandal, Vizianagaram District, Andhra Pradesh, has filed this Writ Petition assailing the proceedings dt.16.07.2018 of the 3rd respondent, on the ground that :

(a) the decision to move the 'No Confidence Motion' was held in a meeting held not at the Mandal Praja Parishad (M.P.P.) premises, but at the residence of one of the Members; and,

(b) that the notice in Form-V dt.16.07.2018, issued by the 3rd respondent does not contain the seal of the 3rd respondent.

3. The counsel for petitioner is unable to show any provision which requires a decision to move a 'No Confidence Motion' to be taken only in a meeting conducted in the premises of the Mandal Praja Parishad. Rule (2) and Form II of G.O.Ms.No.200, Panchayat Raj & Rural Development (Mandal-I), dt.28.04.1998, contain no such requirement.

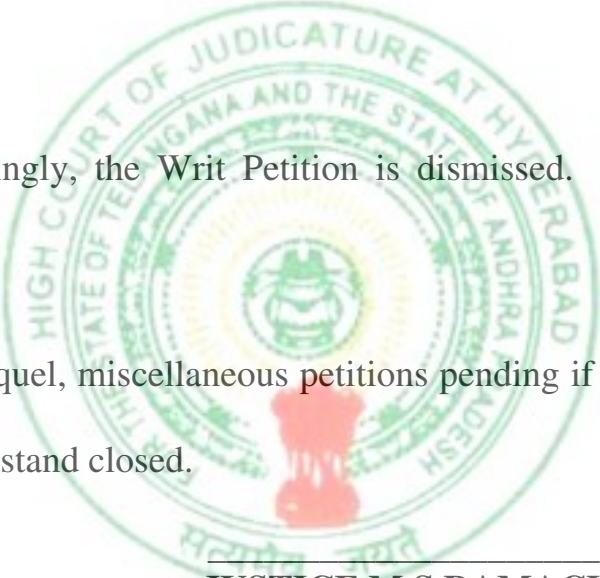
4. That apart, it is not the case of petitioner that the person who signed Form-V notice dt.16.07.2018 informing the petitioner about the date of meeting when the 'No Confidence Motion' would be considered, is not the 3rd respondent.

5. In the absence of any such plea, merely because the seal of 3rd respondent is not affixed thereon, the said notice cannot be said to be defective.

6. I therefore see no reason to interfere with the impugned proceedings.

7. Accordingly, the Writ Petition is dismissed. No order as to costs.

8. As a sequel, miscellaneous petitions pending if any in this Writ Petition, shall stand closed.



JUSTICE M.S.RAMACHANDRA RAO

Date: 31.07.2018

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