

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 18368 of 2017

ORDER :

The grievance of the petitioner, who is the Sarpanch of Gorasa Gram Panchayat, is that the official respondents have not been appointing a regular Panchayat Secretary to Gorsa Gram Panchayat, on account of which, developmental activities in the gram panchayat are not being taken up. Though he had made a representation on 30.06.2016 to the District Collector, East Godavari seeking appointment of a Panchayat Secretary, on regular basis, no action has been forthcoming, complains the petitioner. Hence, the Writ Petition.

When the Writ Petition came up for admission on 08.06.2017, it was adjourned for counter, if any of the 5th respondent and for instructions of learned Government Pleader for Panchayat Raj as to the progress of the representation to fill the post of Panchayat Secretary, on regular basis.

A counter-affidavit was filed by the 5th respondent, In-charge Panchayat Secretary, denying the averments made in the writ affidavit. It was asserted therein that the 5th respondent was appointed as Panchayat Secretary, on contract basis, in 2006 and thereafter, in 2014, her employment has become permanent and after probation, her services were regularized *vide* proceedings E564832/2016-A2 dated Nil-07.2017, with effect from 31.01.2014.

Today, when the matter is taken up, learned counsel for the petitioner, based on the instructions, submits across the Bar that as a mater of fact, even the deponent of the counter-affidavit has been transferred and yet another person has been appointed as

Panchayat Secretary. In those circumstances, the learned counsel prays to dispose of the matter.

Having considered the material on record and also the submission made by the learned counsel for the petitioner, it is clear that no allegation has been made against any individual except stating that there is some element of delay in executing the developmental works. Initially, the petitioner had made Smt. Durga Devi in her *eo nomine* capacity as party respondent to the Writ Petition. A vague allegation has been made that she has not been discharging her duties properly and not obeying the orders of the petitioner. In the absence of any material to prove the said allegations, it is not necessary for this Court to express any opinion on the same, particularly in view of the specific denial in the counter-affidavit filed by the 5th respondent.

Be that as it may, since an individual has been appointed as the Panchayat Secretary of the subject gram panchayat, on regular basis, the grievance of the petitioner, if any as against the 5th respondent does not survive.

In those circumstances, the Writ Petition is closed.

Consequently, the miscellaneous Applications, if any stand closed.

CHALLA KODANDA RAM, J

17th April 2018

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