

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

WRIT PETITION No.31819 of 2018

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed by the petitioner seeking verbatim the following relief:

“For the reasons stated in the accompanying affidavit, it is hereby prayed that this Hon’ble Court may be pleased to issue a Writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents 1 to 5 in allowing the 6th respondent as M.T.P.C., Ravivalasa-II Garuguzilli (M), Vizianagaram District and consequently direct the respondents 1 to 5 to disqualify her is bad, illegal and arbitrary and violative of Article 14 of Constitution of India and Andhra Pradesh Panchayat Raj Act 1994 and to pass such other order or orders as this Hon’ble Court may deems fit just and proper in the circumstances of the case.”

2. I have heard the submissions of Sri *K.Subrahmanyam*, learned counsel appearing for the petitioner, of the learned Government Pleader for Panchayat Raj & Rural Development (A.P.), appearing for the 1st respondent, of the learned Government Pleader for Revenue (A.P.), appearing for the respondents 2 & 3, of Sri *K.K.Durga Prasad*, learned Standing Counsel appearing for the 4th respondent, and of Sri *V.V.Prabhakar Rao*, learned Standing Counsel appearing for the 5th respondent. I have perused the material record.

3. Having regard to the facts & the subject matter and as a right of appeal for assailing the impugned proceedings is available to the petitioner under Section 22 of the Andhra Pradesh Panchayat Raj Act, 1994, (for short, ‘the Act’), this Court is of the considered view, that this writ petition can be disposed of with appropriate directions.

4. In the result, the Writ Petition is disposed of reserving liberty to the petitioner to avail the remedy of appeal under Section 22 of the Act. Since it is stated that the petitioner would avail the said remedy forthwith and in any event within fifteen (15) days, the proceedings impugned in this writ petition shall remain suspended for a period of fifteen (15) days from today.

There shall be no order as to costs.

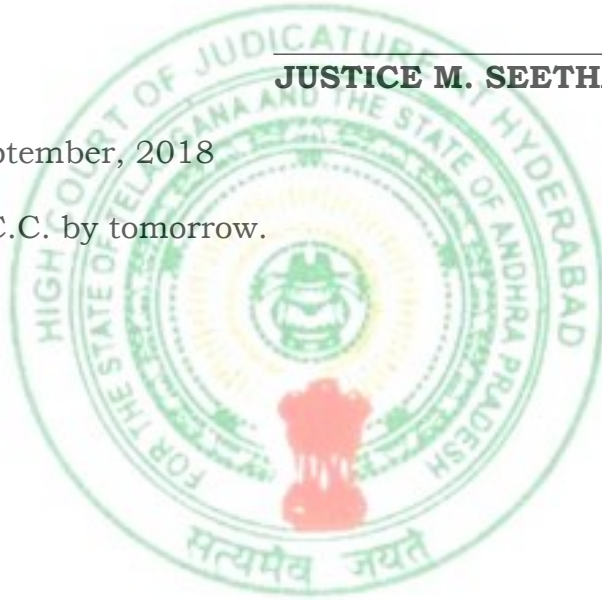
Consequently, miscellaneous petitions pending, if any, shall stand dismissed.

JUSTICE M. SEETHARAMA MURTI

Date: 6th September, 2018

Note: Issue C.C. by tomorrow.

(B/o.)
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