

HIGH COURT OF ANDHRA PRADESH AT AMARAVATHI

MAIN CASE No.W.P.No.10845 of 2023

PROCEEDING SHEET

Sl. No	DATE	ORDER	Office Note
02	03.05.2023	<u>RRR, J</u> The petitioner, who is the Sarpanch of Gannevaripalli Gram Panchayat, Tadipatri Mandal, has approached this Court being aggrieved by the action of the 3rd respondent in suspending the check drawing power of the petitioner vide proceedings bearing Rc.No.1199-2022-A2(PO) dated 31.03.2023. The petitioner has raised various contentions on the jurisdiction of the 3rd respondent, the non-consideration of the objections raised by the petitioner, the non-service of any show cause notice required under Rule 42 of the Rules relating to certain taxes and lodging of money received by the Gram Panchayat and payment of money from the Gram Panchayat fund and on the merits of the case. Heard Sri Challa Gunaranjan, learned counsel for the petitioner and the learned Government Pleader for Panchayat Raj for respondents. A perusal of the record produced by the petitioner shows that no notice, required under Rule 42 of the Rules, was issued to the petitioner prior to the passing of the impugned order. The	Contd...

	learned Government Pleader was granted time to obtain instructions as to whether such a notice had been issued. The learned Government Pleader has obtained written instructions. These instructions are silent about the issuance of any show cause notice prior to the passing of the impugned order. In the circumstances, there is a <i>prima facie</i> case in favour of the petitioner that the condition set out in Rule 42/prior notice being given has been violated. Accordingly, impugned proceedings bearing Rc.No.1199-2022-A2(PO) dated 31.03.2023 is suspended till further orders. For counter, post on 15.06.2023. RRR, J RKS	
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