

**(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)**



FRIDAY, THE ELEVENTH DAY OF AUGUST
TWO THOUSAND AND TWENTY THREE

:PRESENT:

THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI

WRIT PETITION NO: 20504 OF 2023

Between:

O. Koti Reddy, S/o. Rami Reddy, Aged about 56 Years, Occ: MPTC-II,
Elchuru Gram Panchayat, SanthamagaluruMandal, Bapatla District

....Petitioner

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary, Panchayat Raj Department, Secretariat, Velagapudi, Amaravathi.
2. The Commissioner of Panchayat Raj Department, Office at Vijayawada, Krishna District, Andhra Pradesh.
3. The District Collector, P.R.), Bapatla District at Bapatla.
4. The District Panchayat Officer, Bapatla District at Bapatla.
5. The Divisional Panchayat Officer, Chirala, Bapatla District.
6. The E.O., P.R.D., Santhamagaluru, Bapatla District.
7. The Elchuru Gram Panchayat, Rep. by its Secretary, Elchuru Village, SanthamagaluruMandal, Bapatla District.
8. Sri Srinivasa Rao, S/o. Not known to the Petitioner, Aged about 50 years, Occ: Panchayat Secretary, Yelchuru Gram Panchayat, SnathamagaluruMandal, Bapatla District.
9. Sri S.K.Sukur, S/o. Not known to the Petitioner, Aged about 52 years, Occ: In-charge Secretary, Yelchuru Gram Panchayat, SnathamagaluruMandal, Bapatla District.
10. N Brahma Naidu, S/o not Known to the Petitioner, Aged about 50 years, Occ: Panchayat secretary, Yelchuru Gram Panchayat, SnathamagaluruMandal, Bapatla District.
11. MandaSuriBabu, S/o. Yahonu Aged about 40 years, Oce. Sarpanch Yelchuru Gram Panchayat, SanthamagaluruMandal, Bapatla District.

... Respondents

WHEREAS the Petitioner above named through his Advocate Sri P.S.P. Suresh Kumar, presented this Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High 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 Respondent No. 1 to 3 in not taking any action on the Respondents No. 4 to 11 for their misappropriation of Gram Panchayat Funds, Fabrication of records and causing severe monetary loss of Rs.60,00,000/- to the funds of Yelchuru Gram Panchayat, Santamagalulurumandal, Prakasam district, for the period 03-04-2022 to 18-05-2023, and not taking any action on the

representation dated 18-05-2023 and 06-02-2023, as illegal, arbitrary, violation of Principles of Natural Justice and violation of Articles 14, 19(1)(g), 21 and 300-A of the Constitution of India, and consequently direct the Respondents No. 1 to 3 to take immediate steps against Respondents No. 4 toll under the provision of Panchayat Raj Act, 1994 and also under the penal provisions;

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri P.S.P. Suresh Kumar, Advocate for the Petitioner, learned GP FOR PANCHAYAT RAJ DEPT. for respondent Nos. 1 to 6 and Sri G. Venkata Reddy, Standing Counsel for respondent No. 7 directed issue of notice to the Respondents herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

1. The Principal Secretary, State of Andhra Pradesh, Panchayat Raj Department, Secretariat, Velagapudi, Amaravathi.
2. The Commissioner of Panchayat Raj Department, Office at Vijayawada, Krishna District, Andhra Pradesh.
3. The District Collector, P.R.), Bapatla District at Bapatla.
4. The District Panchayat Officer, Bapatla District at Bapatla.
5. The Divisional Panchayat Officer, Chirala, Bapatla District.
6. The E.O., P.R.D., Santhamagaluru, Bapatla District.
7. The Secretary, Elchuru Gram Panchayat, Elchuru Village, Santhamagaluru Mandal, Bapatla District.
8. Sri Srinivasa Rao, S/o. Not known to the Petitioner, Aged about 50 years, Occ: Panchayat Secretary, Yelchuru Gram Panchayat, Snathamagaluru Mandal, Bapatla District.
9. Sri S.K. Sukur, S/o. Not known to the Petitioner, Aged about 52 years, Occ: In-charge Secretary, Yelchuru Gram Panchayat, Snathamagaluru Mandal, Bapatla District.
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11. MandaSuriBabu, S/o. Yahanu Aged about 40 years, Oce. Sarpanch Yelchuru Gram Panchayat, Santhamagaluru Mandal, Bapatla District.

are be and hereby directed to show cause either appearing in person or through an Advocate, as to why in the circumstances set out in the petition and the affidavit filed therewith (copy enclosed) this WRIT PETITION should not be admitted, on or before 21.08.2023, on which date the case stands posted for hearing.

The Court made the following ORDER:

"Notice before admission.

Learned Government Pleader for Panchayat Raj, takes notice for R1 to R6.

Sri G. Venkata Reddy, learned Standing Counsel for Gram Panchayat takes notice for R7.

Learned counsel for the petitioner is permitted to take out personal notice on R8 to R11 though RPAD and file proof of service in the Registry.

For getting instructions, post on 21.08.2023, in the 'motion list'."

Sd/- P. VINOD KUMAR
ASSISTANT REGISTRAR

//TRUE COPY//

Foi

SECTION OFFICER

To,

1. The Principal Secretary, State of Andhra Pradesh, Panchayat Raj Department, Secretariat, Velagapudi, Amaravathi.
2. The Commissioner of Panchayat Raj Department, Office at Vijayawada, Krishna District, Andhra Pradesh.
3. The District Collector, P.R.), Bapatla District at Bapatla.
4. The District Panchayat Officer, Bapatla District at Bapatla.
5. The Divisional Panchayat Officer, Chirala, Bapatla District.
6. The E.O., P.R.D., Santhamagaluru, Bapatla District.
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10. N Brahma Naidu, S/o not Known to the Petitioner, Aged about 50 years, Occ: Panchayat secretary, Yelchuru Gram Panchayat, SnathamagaluruMandal, Bapatla District.
11. MandaSuriBabu, S/o. Yahanu Aged about 40 years, Oce. Sarpanch Yelchuru Gram Panchayat, SanthamagaluruMandal, Bapatla District. (Addressees Nos.1 to 11 by RPAD- along with a copy of petition and affidavit)
12. One CC to SRI. P S P SURESH KUMAR Advocate [OPUC]
13. Two CCs to GP FOR PANCHAYAT RAJ RURAL DEV, High Court of Andhra Pradesh. [OUT]

14. One CC to Sri G. Venkata Reddy, Standing Counsel [OPUC]
15. One spare copy

KJ

HIGH COURT

RCJ

DATED:11/08/2023

POST ON 21.08.2023 IN THE MOTION LIST

NOTICE BEFORE ADMISSION

WP.No.20504 of 2023

