

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

FRIDAY, THE EIGHTH DAY OF JULY TWO THOUSAND AND TWENTY TWO

**:PRESENT:
THE HONOURABLE SRI JUSTICE T.VINOD KUMAR**

**IA No. 1 OF 2022
IN
WP NO: 28527 OF 2022**

Between:

1. Puramsetty Padma, W/o Puramshetti Venkatesham
2. Milkoori Narsaiah, S/o Milkuri

...Petitioners
(Petitioners in WP 28527 OF 2022
on the file of High Court)

AND

1. The State of Telengana, represented by Principal Secretary, Panchayath Raj and Rural Development Department, Secretariat, Tank Bund, Hyderabad.
2. The District Collector, Jagitya District
3. The Divisional Panchayat Officer, Jagityal, Jagityal District
4. The Abbapur Gram Panchayat, Abbapur, Jagityal District rep. by its Panchayat Secretary
5. Ch.Ravinder, R/o Abbapur Village, Gollapalli Mandal, Jagityal District

...Respondents
(Respondents in-do-)

Counsel for the Petitioners : Sri KALVALA SANJEEV

**Counsel for the Respondent Nos.1 to 3 : GP FOR PANCHAYAT RAJ RURAL
DEV**

Counsel for the Respondent No.4: Sri M. Ramgopal Rao

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to suspend the impugned order vide order vide No.A3/2293/2020/P, dt.15.06.2022 issued by the 2nd respondent, pending disposal of WP No. 28527 of 2022, on the file of the High Court.

The court while directing issue of notice to the Respondents herein to show cause as to why this application should not be complied with, made the following.(The receipt of this order will be deemed to be the receipt of notice in the case).

ORDER:

Heard leaned counsel for petitioners, learned Government Pleader and learned Standing Counsel.

As per the provision of Section 37(5) of the Telangana Panchayat Raj Act, 2018, the power to place a Sarpanch under suspension is to be exercised pending investigation into charges of omission or refusal of Sarpanch to carry

out orders of the Government for proper working of the Gram Panchayat or abuse or position or powers vested in him. The power vested to place a Sarpanch under suspension as above is not to exceed for a period of 6 months.

However, a perusal of the impugned proceedings *prima facie* shows that no enquiry or investigation is pending against the petitioner and it is during such pendency of investigation, the power conferred under Section 37(5) of the Act has been invoked by placing the petitioner under suspension.

In view of the same, there shall be interim suspension as prayed for.

//TRUE COPY//

SD/- K. SHYLESI
DEPUTY REGISTRAR

SECTION OFFICER

To,

1. The Principal Secretary, Panchayath Raj and Rural Development Department, State of Telangana, Secretariat, Tank Bund, Hyderabad.
2. The District Collector, Jagitya District
3. The Divisional Panchayat Officer, Jagityal, Jagityal District
4. The Panchayat Secretary, Abbapur Gram Panchayat, Abbapur, Jagityal District
5. Ch.Ravinder, R/o Abbapur Village, Gollapalli Mandal, Jagityal District (1 TO 5 by RPAD)
6. One CC to SRI KALVALA SANJEEV Advocate [OPUC]
7. Two CCs to GP FOR PANCHAYAT RAJ & RURAL DEV, High Court at Hyderabad. [OUT]
8. One spare copy

mvj

HIGH COURT

TVK,J

DATED:08/07/2022

ORDER

I.A.NO.1 OF 2022
IN
WP.No.28527 of 2022

INTERIM SUSPENSION

