



**IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)**

[3332]

WEDNESDAY, THE THIRD DAY OF DECEMBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI

WRIT PETITION NO: 33527/2025

Between:

1.MORAMPUDI ANITHA RANI, W/O. KSHIRA SAGAR AGE 54 YEARS
OCC.SARPANCH OF VADLAMUDI GRAM PANCHAYATH R/O. D.NO.
10-173 GARUVUPALEM VTC. VADLAMUDI GUNTUR DISTRICT.

...PETITIONER

AND

- 1.THE STATE OF ANDHRA PRADESH, REP, BY ITS PRINCIPAL
SECRETARY PANCHAYATH RAJ AND RURAL DEVELOPMENT
DEPARTMENT, SECRETARIAT BUILDINGS VELAGAPUDI
AMARAVATI.
- 2.THE DISTRICT COLLECTOR PANCHAYATH RAJ, GUNTUR
DISTRICT AT GUNTUR
- 3.THE DISTRICT PANCHAYATH OFFICER, GUNTUR DISTRICT AT
GUNTUR
- 4.THE DIVISIONAL PANCHAYATH OFFICER, CHEBROIU MANDAL
CHEBROLU GUNTUR DISTRICT.

...RESPONDENT(S):

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 the 3rd respondent in issuing the impugned proceedings Roc.No.909/2025 G1 dated 19-11-2025 prohibiting the petitioner from drawing the funds of Vadlamudi Gram Panchayath as

illegal, arbitrary, violative of principles of natural justice, contrary to the provisions of the A.P. Panchayat Raj Act, 1994, the Rules framed thereunder, and violative of Article 14 of the Constitution of India, and consequently set aside the impugned proceedings and restore the cheque drawing powers of the petitioner and pass

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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 proceedings of the 3rd respondent in Roc.No.909/2025 G1 dated 19-11-2025 while restoring the cheque drawing powers of the petitioner pending disposal of the writ petition and to pass

Counsel for the Petitioner:

1.MARELLA RADHA

Counsel for the Respondent(S):

1.GP FOR PANCHAYAT RAJ RURAL DEV

The Court made the following order:

Impugning the proceedings of respondent No.3-District Panchayat Officer *vide* Roc No.909/2025 G1 dated 19.11.2025 prohibiting the petitioner from drawing the funds of Vadlamudi Gram Panchayat, the present Writ Petition has filed.

2. Heard Smt Marella Radha, learned counsel for the petitioner and Smt D.Chandrika, learned Assistant Government Pleader for Panchayat Raj Department.

3. Learned counsel for the petitioner, in elaboration to what has been stated in the affidavit, contended that the petitioner was elected as Sarpanch of Vadlamudi Gram Panchayat for the term 2021-2026. She further submitted that respondent No.3 has issued a show cause notice dated 04.10.2024 alleging six financial irregularities relating to expenditures incurred between 2021 and 2023, to which the petitioner submitted a detailed explanation dated 15.11.2025. Respondent No.3, without considering the explanation submitted by the petitioner and without conducting proper enquiry, issued the impugned proceedings, dated 19.11.2025 prohibiting the petitioner from drawing funds of the Gram Panchayat for a period of three months. She further submitted that the reasons mentioned in the impugned proceedings are not proper. If the said proceedings are allowed to subsist, they would adversely affect the rights of the petitioner and also damages her reputation in the village. As such, prayed to set aside the impugned proceedings.

4. On the other hand, learned Assistant Government Pleader for Panchayat Raj Department contended that there is neither illegality nor procedural irregularity in passing the impugned order. The District Panchayat Officer has rightly issued the said proceedings and that if the petitioner has any grievance with regard to the reasons mentioned therein, she has to avail the efficacious alternative remedy of appeal before the District Collector, in terms of Section 245 of the A.P Panchayat Raj Act and Rule 42(2) of G.O.Ms.No.30 dated 20.01.1995. She further submitted that the petitioner has not raised any valid grounds warranting interference by this Court. Hence, prayed to dismiss the Writ Petition.

5. Perused the record and considered the submissions made by learned counsel for the parties.

6. Suspension of petitioner's cheque drawing power under the proceedings of respondent No.3 dated 19.11.2025, has been challenged in this Writ Petition. The contention of learned counsel for the petitioner is that without considering the explanation submitted by the petitioner in response to the show cause notice and without conducting any proper enquiry, respondent No.3 issued the impugned proceedings without giving proper reasons.

7. By virtue of Rule 42(2) of G.O.Ms.No.30 dated 20.01.1995, the petitioner has a statutory right to prefer an appeal before the District Collector against the proceedings of the District Panchayat Officer. As rightly contended by learned Assistant Government Pleader for Panchayat Raj Department,

when an efficacious alternative remedy of appeal is available, invoking the jurisdiction of this Court under Article 226 of the Constitution of India does not arise. At this stage, learned counsel for the petitioner submits that if this Court is not inclined to interfere, liberty may be granted to the petitioner to approach the District Collector to prefer an appeal for redressal of her grievance.

8. Taking the submissions of both the learned counsel into consideration, as the petitioner intends to file an appeal before the District Collector which is the effective alternative remedy, this Court is inclined to dispose of the Writ Petition, at the stage of admission, giving liberty to the petitioner to prefer an appeal before the District Collector against the proceedings of the District Panchayat Officer *vide* Roc.No.909/2025 G1 dated 19.11.2025.

9. Accordingly, the Writ Petition is disposed of. There shall be no order as to costs.

As a sequel thereto, interlocutory applications pending, if any in the Writ Petition, shall also stand closed.

JUSTICE RAVI CHEEMALAPATI

03.12.2025

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THE HON'BLE SRI JUSTICE RAVI CHEEMALAPATI

WRIT PETITION NO.33527 OF 2025

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