

(2026) 01 AP CK 0755

Andhra Pradesh High Court

Case No: Writ Appeal No: 29 Of 2026

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| Pasupuleti Chalapathy | APPELLANT |
| Vs | |
| State Of Andhra Pradesh And Others | RESPONDENT |

Date of Decision: Jan. 22, 2026

Acts Referred:

- Constitution Of India, 1950 - Article 226

Hon'ble Judges: Dhiraj Singh Thakur, CJ; R. Raghunandan Rao, J

Bench: Division Bench

Advocate: S. S. Bhatt, M. Sudhir

Final Decision: Disposed Of

Judgement

P C :

- The present Writ Appeal has been preferred against judgment and order dated 23.12.2025, passed in W.P.No.35255 of 2025.
- The Writ Petition has been dismissed on the ground that since there was no case made out on account of violation of principles of natural justice, the petitioner could avail the alternate remedy.
- It appears from the record that the petitioner, who was elected as a Sarpanch, by virtue of the order impugned in the Writ Petition, issued by the District Panchayat Officer (for short, "DPO"), in exercise of the powers vested in him under Rule 42(1) as envisaged under G.O.Ms.No.30, dated 20.01.1995, the power of the petitioner working as a Sarpanch to draw the money from the Gram Panchayat was suspended.

It can be seen that the power so exercised by the DPO was only in terms of the second proviso to Rule 42(1) and passed only as an interim measure.

4. The main contention of learned counsel for the appellant is that the learned Single Judge fell in error in not appreciating that principles of natural justice were violated inasmuch as even when the petitioner had been asked to submit the explanation in terms of Rule 42(1), no such explanation could have been possibly filed in the absence of the requisite documents which were in the custody of the DPO.

It is therefore stated that nothing could prevent the learned Single Judge from interfering in the matter in exercise of the powers under Article 226.

5. We have heard learned counsel for the appellant and learned Government Pleader for Panchayat Raj and Rural Dev appearing for the respondents.

6. We are not inclined to interfere in the present Writ Appeal inasmuch as we find that the powers which were exercisable by the DPO were in terms of the second proviso to Rule 42(1) and passed only as an interim measure. However, we do appreciate the argument of learned counsel for the appellant that a proper explanation which is otherwise envisaged to be furnished in terms of Rule 42(1) of G.O.Ms.No.30, dated 20.01.1995, would not be possible unless and until proper documents which form the basis of the allegations against the petitioner were so furnished.

7. We, therefore, direct the respondents to furnish the documents as are otherwise sought by the appellant within a period not later than 10 days. Details of the documents which the appellant seeks shall be furnished to the DPO within two days from today.

8. This Writ Appeal is accordingly disposed of.

No costs. Pending miscellaneous applications, if any, in this case, shall stand closed.