

THE HON'BLE THE CHIEF JUSTICE SATISH CHANDRA SHARMA

AND

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION (PIL) No.343 of 2018

ORDER: *(Per the Hon'ble the Chief Justice Satish Chandra Sharma)*

The present writ petition (public interest litigation) is arising out of the letter dated 13.08.2018 received by the Registry of this Court alleging misappropriation of amount to the tune of Rs.40.00 lakhs allotted towards construction of Sowchalayas funded by the Government of India. In the letter, it has been stated that the funds were transferred to the personal accounts of Sarpanch, Panchayat Secretary and Bill Collector.

On the last date of hearing i.e., on 23.02.2022, this Court has directed the Director General, Anti-Corruption Bureau, to file an affidavit in respect of the action taken in the matter.

The Director General, Anti-Corruption Bureau, has filed an affidavit and it has been stated that pursuant to the earlier directions issued by this Court, a report was submitted on 04.02.2019 in respect of 120 villages and First Information Report has been lodged against as many as nine persons for offences under Section 420 read with 34 of IPC in respect of Narsingi Village, Medak District. The details of the action taken

in the matter, as per the affidavit as contained in paragraphs 7 to 15, are reproduced as under:-

“7. It is submitted that the following are the details of the persons against whom irregularities were detected during the enquiry. In respect of Narsingi Village FIR No. 42/2018 U/s 420,409 r/w 34 IPC, was registered against

A-1 Dale Anjamma, W/o Krishnamurthy, age 50, Narsingi, Medak District, the then Sarpanch of Narsingi village.

A -2 Bayanagari Parshuramulu, S/o Yellaiah, age 29, Gajwel, Narsingi, Siddipet, the then Bill Collector of Narsingi Gram Panchayat.

A-3 Avancha Padmavathi, w/o Vijay, age-49, Narsingi, Medak, Executive Officer of the Narsing Gram Panchayat.

A-4 Dale Krishna Murthy, S/o Veeraiah, Age-60, Narsing, Medak. Husband of the then Sarpanch.

A-5 Kaleru Saikiran, S/o Srinivas, Age-22, H.No.6-1-107/1 to 20, Jayacharana enclave, Hyderabad.

A-6 Boda Chandra Shekar, S/o Muthyalu, Age-27, H.no.1-27-85, Subhash nagar, Alwal, Trimulgiri, Rachakonda.

A-7 Shyama Lima, W/o Judhisthi, Age-24, H.No:44,45 and 68, Rajiv Gandhi Nagar, Shameerpet, Hyderabad.

A-8 Palaka Shiva Shankar, S/o Palaka Vasu, Age-24, H.No.262-C, Girl Prasad nagar, Jawahar nagar, Balaj nagar, shanmeerpet, Hyderabad.

A-9 Mallapu Sri Ramulu, S/o Jammannu, age-40, H.No.10-4-B/136, Addagutta, Meredpally, Nehrunagar, Hyderabad based the complaint of Sri K.Anil Kumar, MPDO, Chegunta, i/c MPDO Narsingi, Medak district.

All the Accused officers were arrested and charge sheet was filed on 30-09-2019 in the court of Judicial First Class Magistrate Court at Medak, vide C.C. No.

185/2020. The case is coming up for appearance of the accused and posted to 20-04-2022.

8. It is submitted that, in respect of 13 villages lapses were found in the execution of IHHL scheme. The villages are

- 1) Pallanguda (v), Kasipet (M), Mancheriyal district;
- 2) Ragannagudem (v), Rayaparthi (M) Warangal Rural district;
- 3) Ganugupahad (v), Jangoan (M), Jangoan district;
- 4) Baswapur (V), Alampur (M), Jogulamba Gadwal district;
- 5) Pallepada (V), Manopad (M), Jogulamba Gadwal district;
- 6) Macharam (V), Jedcherla (M), Mahaboobnagar district;
- 7) Machinenipally (V). Kollapur Mandal (M), Nagarkurnool district;
- 8) Japthishivnool (V), Shankarampet -R (M), Medak district;
- 9) Yetigadda Sangam (V), Sadasivapet (M), Sangareddy district;
- 10) Godugupally (V), Doulothabad (M), Siddipet district;
- 11) Degaon (V), Armoor (M), Nizamabad district;
- 12) Thurkapally (V), Shameerpet (M), Medchal district;
- 13) Dabilpur (V), Medchal (M), Medchal district;

9. The Panchayat Secretaries are responsible for the lapses in respect of 13 Villages except Degaon (V), Armoor (M), Nizamabad district.

10. In respect of Ragannagudem (v), Rayaparthi (M) Warangal Rural district and Degaon (V), Armoor (M), Nizamabad District. Sarpanches also are responsible for the lapses.

11. In respect of Ganugupahad (v); Jangoan (M), Jangoan district, Macharam (V), Jedcherla (M). Mahaboobnagar

district and Godugupally (V), Doulothabad (M), Siddipet District VWSC Members are also responsible for lapses.

12. A total amount of Rs.17,15,114.00 (Rupees Seventeen Lakhs, Fifteen Thousand One Hundred and Fourteen Only) was involved.

13. It is submitted that, the specific lapses in respect of the Panchayat Secretary, Sarpanch and VWSC Member and action taken report against them is enclosed in Annexure (as furnished by Secretary to Government, Panchayat Raj & Rural Development, Government of Telangana, www Hyderabad).

14. It is submitted that besides criminal action, the departmental action against the Government Servants, namely Sri Bayanagari Parshuramulu, S/o Yellaiah, Gajwel, Narsingli, Siddipet, the then Bill Collector of Narsingi Gram Panchayat and Smt. Avancha Padmavathi, w/o Vijay, age-49, Narsingl, Medak, Executive Officer of the Narsingi Gram Panchayat was initiated.

15. In obedience to the orders of the Hon'ble High Court the minute details in respect of all the persons who have been named in the Report and against whom the allegations are in existence are established and action initiated by the local police and concerned departments is submitted for consideration."

A detailed chart has also been furnished in respect of recovery made in the matter from time to time from the accused persons and the affidavit reveals that criminal action as well as departmental action has been initiated against the persons involved as well as Government servants.

In the light of the aforesaid affidavit, no further orders are required to be passed in the present writ petition. However, the State is directed to ensure that the criminal case registered in the matter is concluded at an early date and the departmental enquiry is also concluded as expeditiously as possible.

With the aforesaid, the writ petition (public interest litigation) stands disposed of.

Pending miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

SATISH CHANDRA SHARMA, CJ

ABHINAND KUMAR SHAVILI, J

21.03.2022
JSU