

HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE
AND
THE HON'BLE SRI JUSTICE S.V. BHATT

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Writ Petition No.19620 of 2015

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DATED:01.07.2015

Between:

Atla Chinna Venkat Reddy,
R/o.Santhamagaluru Village,
Prakasam District.

... Petitioner

And

The Election Commission of India,
represented by its Secretary,
Nirvachan Bhavan,
New Delhi and others.

....Respondents

HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE
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Writ Petition No.19620 of 2015

PC: (Per the Hon'ble the Acting Chief Justice Dilip B. Bhosale)

Heard learned counsel for the petitioner.

The petitioner, in the instant writ petition, seeks the following relief:

“For the reasons stated in the accompanying affidavit, it is hereby prayed that this Hon'ble Court may be pleased to issue a writ, order or direction more particularly one in the nature of writ of mandamus declaring the inaction of the 1st respondent in not recommending to rescind the notification No. 322/AP-LC/2015-BE(LACs), Dt. 09-06-2015, insofar as relating to biennial elections to the member of Legislative Council from Prakasham Local Authorities Constituency pursuant to the representation given by YSR Congress Party Dt. 24-06-2015 and in not directing the 6th and 8th respondents to take action pursuant to the complaint Dt. 26-06-2015 given by N. Shailaja complaining of the kidnap of her husband N. Daniel by the persons of 9th respondent and not directing the 7th respondent to initiate action against the 9th respondent for various offences under Indian Penal Code and other election offences in the biennial elections to the Andhra Pradesh Legislative Council from Local Authorities Constituency for the Member of Legislative Council from Prakasham Local Authorities Constituency as illegal, arbitrary, unconstitutional and contrary to the provisions of Representation of Peoples Act, 1951 and to pass such other order or orders as this Hon'ble Court may deem fit, just and proper in the circumstances of the case.”

Petitioner is one of the candidates, who is contesting the elections to the Legislative Council from Prakasam Local

Authorities Constituency. He has made several allegations against his rival candidates and parties, including the one reflected in the prayer clause that husband of N. Shailaja has been kidnapped by the persons of respondent No.9. N. Shailaja has not come before the Court, as a petitioner in the instant writ petition, or has filed any other proceedings either before this Court, or before any other Court. Election is due on 3.7.2015. Keeping that in view and considering the nature of the allegations, it is not possible to issue any directions, as prayed for in the writ petition, at this stage.

Hence, the writ petition is dismissed.

Pending miscellaneous applications shall also stand closed.

DILIP B. BHOSALE, ACJ

**S.V. BHATT,
J**

1st July, 2015

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