

HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA
PRADESH

PRESENT

THE HON'BLE THE CHIEF JUSTICE SRI KALYAN JYOTI SENGUPTA
AND
THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT APPEAL No.8 OF 2015

DATED: 20.01.2015

Between:

Smt. S.Jayalakshmi

... Appellant

And

The State of Andhra Pradesh and others

... Respondents

**THE HON'BLE THE CHIEF JUSTICE SRI KALYAN JYOTI
SENGUPTA
AND
THE HON'BLE SRI JUSTICE SANJAY KUMAR**

WRIT APPEAL No.8 of 2015

JUDGMENT: (per the Hon'ble The Chief Justice Sri Kalyan Jyoti Sengupta)

The common judgment and order is challenged by the unsuccessful writ petitioner in Writ Petition No.36285 of 2014.

The appellant before us asserts that despite having qualification, her candidature was not chosen for the post of Co-opted member in Chittoor Municipal Corporation. Undisputedly, the post is only one female Co-opted member, for which, both the writ petitioners were contesting. The learned Trial Judge found that the appellant before us is ineligible as she has not held the offices mentioned in Rule 3(b) of the Hyderabad Municipal Corporation (Co-option of Members having special knowledge or experience in Municipal Administration) Rules, 1995 for five years and was only Sarpanch of L.B.Puram Gram Panchayat from 2001 to 2006. This fact finding has not been challenged on the ground of perversity. When the learned Trial Judge has found the fact interpreting and applying the relevant law, we in exercise of the appellate jurisdiction cannot invalidate the same. Therefore, we do not find any merit in the appeal.

The appeal is accordingly dismissed. No order as to

costs.

Consequently, miscellaneous petitions, if any pending, shall stand dismissed.

K.J. SENGUPTA, CJ

20th JANUARY, 2015.

SANJAY KUMAR, J

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