

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

Civil Revision Petition No.3178 of 2015

Date: 18-12-2015

Between:

Palle Veeresham

.. Petitioner

AND

D. Bala Kistaiah and 3 others

.. Respondents

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

Civil Revision Petition No.3178 of 2015

ORDER:

-

The revision petitioner herein is the 1st respondent in E.O.P.No.7 of 2013 on the file of the Junior Civil Judge, Tandur, Ranga Reddy District. The said O.P. was filed by the 1st respondent herein under Section 19 (3) of the A.P. Panchayat Raj Act, 1994 seeking disqualification of the petitioner herein. In the said petition, the petitioner herein filed I.A.No.46 of 2015 to frame an additional issue with regard to territorial jurisdiction to entertain the case. A counter was filed by the 1st respondent herein stating that the issue raised by the petitioner is no longer *res integra* in view of the decision of the Division Bench in **Jogi Satyanarayana v. Kodi Vijayalaxmi and others** in 2008 (3) ALT 388 DB and followed by a learned Judge of this Court in C.R.P.No.3782 of 2014 dated 21-11-2014. After considering the same, the Election Tribunal dismissed the application by order dated 18-06-2015. Challenging the same, the present Civil Revision Petition is filed.

In support of the application filed for framing additional issue, the petitioner did not cite any reason except stating that he was advised to submit additional issue for having a clear finding on the matter. On the other hand, the learned counsel for the 1st respondent filed a counter by relying on decision of this Court in **Jogi Satyanarayana v. Kodi Vijayalaxmi and others**^[1] and also an order of a learned Single Judge of this Court in C.R.P.No.3782 of 2014 dated 21-11-2014 rendered by Justice P. Naveen Rao.

A perusal of the order in C.R.P.No.3782 of 2014 dated 21-11-2014 makes it clear that the decided case of this court held that an election petition is maintainable only before the Election Tribunal and District Court has no jurisdiction. In view of the same, I do not see any ground to interfere with the order dated 18-06-2015 in I.A.No.46 of 2015 in O.P.No.7 of 2013, and hence, the Civil Revision Petition is liable to be dismissed.

Accordingly, the Civil Revision Petition is dismissed. However, since the dispute relates to election, it is needless to observe that the trial Court shall dispose of the O.P. as expeditiously as possible, but not later than 30-04-2016. The learned counsel for the parties appeared before this Court are requested to cooperate with the early disposal of the said O.P.

As a sequel thereto, miscellaneous petitions, if any, pending shall stand closed.

A. RAMALINGESWARA RAO, J

Date: 18-12-2015

Ksn

[\[1\]](#) 2008 (3) ALT 388 DB