

HON'BLE SRI JUSTICE S. RAVI KUMAR

CIVIL REVISION PETITION No.3041 of 2002

ORDER:

This revision is preferred against order dated 03.07.2002 in Election O.P.No.4 of 2001 on the file of the Election Tribunal-cum-Principal Junior Civil Judge, Nandikotkur, in respect of Gram Panchayat elections held on 14.08.2001.

2. The Principal Junior Civil Judge, Nandikotkur, directed 5th respondent to produce election material used for polling and counting relating to K.Thatipadu Gram Panchayat Sarpanch elections held on 14.08.2001 before the Court on 11.07.2002 by 10:00 a.m. for verification and requested the Assistant Government Pleader to secure the presence of RW.4 on 11.07.2002 for giving assistance in inspecting the election material. But, as seen from the above order, it is not a final order and that order is passed during course of inquiry in the election. The revision petitioner, who is the petitioner in the election O.P., filed the present revision questioning the said order.

3. As seen from the record, the Election Tribunal-cum-Principal Junior Civil Judge, Nandikotkur, passed another order on 16.07.2002 in the same election O.P. and revision petitioner herein approached this Court to quash the order dated 16.07.2002 in Writ Petition No.13347 of 2002 under Article 226 of the Constitution of India. This

Court, dismissed the said writ petition on 07.04.2010 on the representation of counsel for writ petitioner that writ petition has become infructuous.

4. Though this revision is posted under the caption of 'final hearing' no one appeared on behalf of revision petitioner and on behalf of respondents. When Election Tribunal-cum-Principal Junior Civil Judge, Nandikotkur, passed order on 16.07.2002 subsequent to the impugned order challenged in the revision and when the writ petition challenging subsequent order is dismissed as infructuous, I felt that this impugned order must have also become infructuous and for that reason, both parties are not evincing any interest in prosecuting the case.

5. Therefore, civil revision petition is dismissed for default. No costs.

6. Miscellaneous Petitions, if any, shall stand dismissed.

S. RAVI KUMAR, J

18th February 2015.

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