

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

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CRP NO. 517 of 2015

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Date of Judgment: 30.3.2015

Between:

Darsi Nagamani

...Petitioner

And

Rampathoti Anka Rao and others

..Respondents

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

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C.R.P. NO. 517 of 2015

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ORDER:

Heard learned counsel for the petitioner.

The petitioner in E.O.P.No. 4 of 2015 on the file of the Principal Junior Civil Judge, Ongole has filed IA No. 1769 of 2013 for a direction to the respondents 3 to 6 to produce entire election material including ballot papers and votes for recounting before the court below. The Court below rejected the said application on finding that the allegations of the petitioner in the E.O.P. are mostly factual allegations that her supporters were not allowed to cast their votes in the election and it is for the petitioner to establish those factual

allegations by examining herself and leading evidence. Calling for entire record from the election authority at this stage was not permissible as rightly found by the court below. The petitioner has to first lead evidence in support of her allegations in the E.O.P. such as voters list etc which she herself can easily procure and file certified copies thereof. Unless the petitioner leads evidence and makes out fundamental ground to enable the court below to assess the necessity of calling for the record from the election authority, the present application at this stage is too premature and it was rightly dismissed by the court below. No interference is called for.

The revision petition is accordingly dismissed along with miscellaneous applications, if any. No order as to costs.

VILAS V. AFZULPURKAR, J

Dt. 30.3.2015

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