

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.23363 of 2013

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Between:

Padala Lakshmana Rao

PETITIONER

AND

1. State of Andhra Pradesh rep. by its Principal Secretary to Government, Panchayat Raj Department, Secretariat, Hyderabad, and others.

RESPONDENTS

ORDER:

This writ petition is filed seeking following relief –

“...to issue an appropriate writ or order or direction more particularly one in the nature of Writ of Mandamus declaring the inaction of the 5th Respondent in taking a decision on a representation dated 27.07.2013 made by the Petitioner for recounting of votes for the election of Sarpanch of Kothur Gram Panchayat, Kothur Village and Mandal, Srikakulam District held on 27.07.2013 as illegal, arbitrary, and violative of principles of natural justice as also the provisions of A.P. Panchayat Raj (Conduct of Elections) Rules, 2006 and consequently direct the 5th Respondent to act. upon the Representation dated 27.07.2013 made by the Petitioner by recounting of votes as per Rule 60 of A.P. Panchayat Raj (Conduct of Elections) Rules, 2006 in the interests of justice and pass.....”

Learned counsel for the petitioner fairly submits that in relation to the subject matter of the election, E.O.P.No.3 of 2013 is filed by the contesting candidates and the same is pending on the file of the Junior Civil Judge-cum-Election Tribunal, Kotturu Mandal, Srikakulam District. Therefore, the learned counsel submits that the petitioner does not wish to press the writ petition and the same may be closed with a direction to the Election Tribunal to dispose of the E.O.P expeditiously.

Considering the request made by the learned counsel for the petitioner, without expressing any opinion on the merits of the matter, the writ petition is closed granting liberty to the respective parties to make an application before the Election Tribunal in E.O.P.No.3 of 2013 for expeditious disposal of E.O.P, and as and when such an application is filed, the learned Junior Civil Judge-cum-Election

Tribunal shall consider the same and dispose of the E.O.P. as expeditiously as possible, preferably, within a period of six months from the date of receipt of such application.

As a sequel, pending miscellaneous petitions, if any, shall stand closed. No order as to costs.

CHALLA KODANDA RAM, J.

30th March, 2016
Js.