

HON'BLE SMT JUSTICE KONGARA VIJAYA LAKSHMI

WRIT PETITION No.5114 OF 2007

Date 12.12.2017

Between:

Gavini Venugopal.

... Petitioner

AND

Vutukuri Venkateswarlu and others.

.....Respondents



HON'BLE SMT JUSTICE KONGARA VIJAYA LAKSHMI

WRIT PETITION No.5114 of 2007

ORDER:

The Writ Petition is filed questioning the action of respondents in including the name of respondent No.1 in electoral roll 2006 in two places i.e. Kothapet and Karamchedu Grampanchayat, Prakasam District. A consequential direction is sought to restrain respondent No.1 from functioning as Sarpanch of Kothapet Grampanchayat, Prakasam District.

Brief facts of the case, according to the petitioner, are that he is a resident and voter in Kothapeta Gram Panchayat; election notification was issued for the post of Sarpanch and ward members in Kothapet Gram Panchayat, Prakasam District; respondent No.1 was elected as Sarpanch of Kothapet Gram Panchayat; and the election of respondent No.1, with two voting rights in two different constituencies, is questioned in the writ petition.

Writ Petition came up for admission on 20.08.2007. On 20.08.2007, in WPMP.No.6539 of 2007, this Court observed that respondent No.1 was elected as Sarpanch and cannot be restrained by an injunction not to function as such, and if he has incurred any disqualification under Sections 17, 18 and 19 of the A.P. Panchayat Raj Act, 1994, it is always open for the petitioner to move an application under Section 22 of the Act.

Heard the learned Counsel for petitioner and Sri M.Prabhakar Rao, learned Standing Counsel for respondent No.1.

During hearing, learned Counsel for the petitioner submitted that the term of respondent No.1 as Sarpanch expired long back and, at present, the petitioner is having voting right at Kothapet, and not in karamchedu.

Recording the submission of the learned counsel for the petitioner, the Writ Petition is closed.

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

Dt:12.12.2017
usd

KONGARA VIJAYA LAKSHMI, J

