

THE HON'BLE SRI JUSTICE A.V. SESA SAI

W.P.No.10614 of 2017

ORDER:

This writ petition is filed under Article 226 of the Constitution of India, seeking the following relief:

“To issue order or direction more particularly in the nature of writ of mandamus or any other appropriate writ or direction declaring the Notification No. 45/SEC-B1/2016-24 dated 21.03.2017 issued by the 2nd respondent for conducting Mandal Praja Parishad, President Election, without filling up the casual vacancy of MPTC of Gedda Kancharam, G.Sigadam Mandal, Srikakulam District as arbitrary, illegal, unconstitutional and contrary to the provisions of Panchayat Raj Act, 1994. And consequently direct the 2nd respondent to conduct the elections to the post of MPTC of Gedda Kancharam, first and then, conduct the election to the casual vacancy for the post of President, Mandal Praja Parishad G.Sigadam, Srikakulam District”.

2. The issue in the present writ petition is squarely covered by the order of this Court in W.P.No.10541 of 2017 dated 27.3.2017.

3. In view of the above, this writ petition is also allowed, setting aside the Notification No. 45/SEC-B1/2016-24 dated 21.03.2017 issued by the 2nd respondent only to the extent of proposal to hold election to the post of President, Mandal Praja Parishad, G.Sigadam Mandal, Srikakulam district. However, it is open for the Respondents to hold election to the post of President, Mandal Praja Parishad, G.Sigadam Mandal after filling up the casual vacancy of MPTC, Gedda Kancharam, G.Sigadam Mandal, Srikakulam district. As a sequel, the miscellaneous petitions, if any, shall stand closed. There shall be no order as to costs.

A.V. SESA SAI , J

Date: 27.3.2017

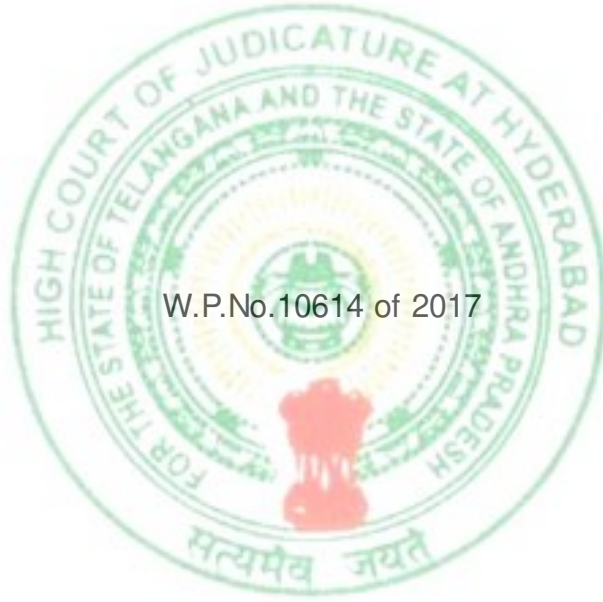
Note:

Office to despatch the order forthwith.

(B/o)

DA

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27.3.2017