

The Hon'ble Sri Justice A.V.Sesha Sai

Writ Petition No.12215 of 2017

Date: 06.04.2017

Order:

This Writ Petition is filed for the following substantive 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 election to the post of Vice-President, Mandal Praja Parishad, Gandepalli, without filling up the casual vacancy of MPTC-2 of Murari, Gandepalli Mandal, East Godavari 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-2, Murari, first and then, conduct the election to the casual vacancy for the post of Vice-President, Mandal Praja Parishad Gandepalli, East Godavari District.”

When the matter is called, it is brought to the notice of this Court that the issue raised in this Writ Petition is squarely covered by Order, dated 27-03-2017, passed by this Court in WP.No.10541 of 2017. A copy of the said order is also placed on record.

Following the above said order, this Writ Petition is also allowed setting aside Notification No.45/SEC-B1/2016-24, dated 21-03-2017, issued by respondent No.2- State Election Commissioner only to the extent of the proposal to hold election to the post of the Vice President, Mandal Praja Parishad, Gandepalli Mandal, East Godavari District. However, it is open for the respondents to hold election to the said post after filling up the vacancy of MPTC-2, Murari Village, East Godavari District.

As a sequel, Miscellaneous Petitions, pending if any, stand disposed of as infructuous.



(A.V.Sesha Sai, J)

Dt: 6th April, 2017
lur