

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

WRIT PETITION No.6474 OF 2017

ORDER:

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

“to issue an appropriate writ, order or direction more in the nature of Mandamus, declaring the action of the respondents in proceeding to conduct the elections for the post of Sarpanch, Ramapuram @ Kattukommugudem village on 7.3.2017 on the basis of the electoral list published by the 3rd respondent in which the names of about 45 the petitioners and others on 20.02.2017 as being illegal, arbitrary and is in violation of the principles of natural justice and fair play and consequently set aside the election notification dated 22.02.2017.”

2. When the matter is called, it is submitted by the learned Government Pleader that the State Election Commission issued a Notification on 20.02.2017 and the Election process has already commenced; that no interference of this Court under Article 226 of the Constitution of India is permissible, in view of the constitutional mandate as enshrined under Article 243.

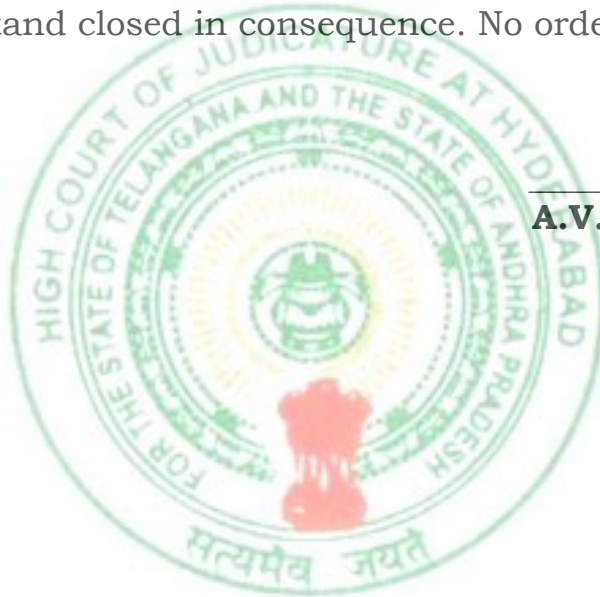
3. It is further submitted by the learned Government Pleader, on instructions, from the Mandal Parishad Development Officer, M.P.P.Chilkur, vide Lr.No.A/13/GPEle./

2017, dated 22.02.2017, that the names of the dead persons are deleted and they would be rounded off in red ink.

4. As the election process has already commenced and in view of the above instructions, this Court is not inclined to exercise the jurisdiction under Article 226 of the Constitution of India.

5. Accordingly, this writ petition is dismissed. Miscellaneous petitions pending consideration, if any, in this case shall stand closed in consequence. No order as to costs.

23.02.2017
SS



A.V.SESHA SAI, J