

THE HONOURABLE Dr.JUSTICE B.SIVA SANKARA RAO

Writ Petition No.7694 of 2018

ORDER :

Heard both sides.

The prayer in the Writ Petition reads as follows:-

“to issue a Writ, Order, or Direction more particularly one in the nature of WRIT OF MANDAMUS declaring the action of the Respondents in not taking steps to include the Petitioners and similarly placed members of Bairagipatnam Marine Fishermen Co-operative Society(Reg.No.A-55) in the voters list before issuance of election notification in spite of orders of this Hon’ble Court is illegal and unconstitutional consequently direct the Respondent Authorities to take all such necessary steps to see that all the members of Bairagipatnam Marine Fishermen Co-operative Society(Reg.No.A-55) are given voting rights if necessary by receiving its amount due from the Petitioners and other similarly placed Fishermen if necessary at the office of Fishery Department Officer and remove the ineligible persons as per directions of the Hon’ble court in W.P.No.5780 of 2018 and then only conduct elections for managing committee of Bairagipatnam Marine Fishermen Co-operative Society(Reg.No.A-55) and pass such order, orders.”

As the learned Government Pleader submits from written instructions that pursuant to the order of this Court, dt.23.02.2018, in W.P.No.5780 of 2018, particularly in compliance with para-7 directions therein, voters list is finalized not only by admitting those persons among the writ petitioners by receiving the amounts by showing in the eligible votes list, the names of the 37 dead persons also deleted from the voters list and so far as some members claimed minors concerned, no age proof came forward and as the election is scheduled to be held tomorrow dt.13.03.2018 from out of the final voters list showing names of the members published, by deletion of dead persons with inclusion of writ petitioners and others who subscribed with membership fees are considered eligible, so far as minors alleged concerned, while exercising right of vote for such persons, they permit only on production of age proof to exercise their vote.

By recording the above submission of the learned Govt. Pleader, the Writ Petition is disposed of for election process shall go on and so far as persons suspected of minors among those of voters list concerned, their list and nature of proof produced should be preserved for any future evidence including for any election dispute if arisen.

Consequently, miscellaneous petitions, if any, pending shall stand closed.

Date: 12.03.2018
vvr

Dr. B. SIVA SANKARA RAO J,

