

THE HONOURABLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No.13376 OF 2018

ORDER:

Heard learned Counsel appearing for the petitioner and Sri Nimmagadda Venkateswarlu, learned Standing Counsel for 3rd respondent-Municipality.

The grievance of the petitioner herein is that the Election Tribunal, Machilipatnam, Krishna District, is not disposing of the Election O.P.No.233 of 2014, within six months from the date of filing, as mandated under Section 86(7) of the Representation of People's Act, 1951. It is further submitted by the learned Counsel for the petitioner that the petitioner lodged a written complaint to the 3rd respondent-Municipality and basing on which the 3rd respondent-Municipality filed Election O.P.No.233 of 2014. It is further submitted that because of the pendency of the said Election O.P.No.233 of 2014, the unofficial respondent, who is not qualified to hold the post in view of the provisions of Section 13 (B), is continuing as Counsellor in the respondent-Municipality.

On the other hand, it is submitted by the learned Standing Counsel for respondent-Municipality that counter has been filed by the respondent-Municipality.

Having heard the learned Counsel for the petitioner and also the learned Standing Counsel, this Court deems it appropriate to dispose of the Writ Petition, with a direction to the second respondent/Election Tribunal to dispose of the Election O.P.No.233 of 2014, as expeditiously as possible, preferably

within a period of four months from the date of receipt of a copy of this Order.

Miscellaneous Petitions pending consideration, if any, in this Writ Petition shall stand closed. There shall be no order as to costs.

JUSTICE A.V.SESHA SAI

Date:18.06.2018
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