

THE HONOURABLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No.19564 of 2018

ORDER:

When the matter is taken up, the instructions furnished by the District Collector, Anantapur, to the Office of the Government Pleader, Municipal Administration and Urban Development, Government of A.P., vide Rc.No.DTLC/8877/2018, dated 19.06.2018, are placed on record by the learned Government Pleader. The said instructions read as under:-

“In the ref.1st cited, one Sri M.Nagendra Naim, Sunnapugutta Thanda and other villagers have represented for inclusion of voters of Sunnapugutta Thanda into Kadiri Municipality. The Tahsildar, Kadiri has pursued the issue with 1.Municipal Commissioner, Kadiri, 2.Mandal Parishad Development Officer, Kadiri obtained their reports which revealed as detailed below:-

In the ref.2nd cited, the Gram Panchayat, Kummaravandlapalli was resolved for inclusion of Polling Station No.138 (new P.S.No.127), Kummaravandlapalli village into Kadiri Municipality vide resolution No.545/2014, dated 06.08.2014. The then Panchayath Secretary, Kummaravandlapalli (Kadiri Rural) was also submitted report with Gram Panchayat Resolution to the Mandal Parishad Development Officer, Kadiri and Revenue Divisional Officer, Kadiri.

In the reference 3rd cited, the Kadiri Municipality, was resolved for inclusion of geographical area of Sunnapugutta Thanda, Sreerampuram Thanda into Kadiri Municipality limits vide Resolution No.173/31-7-2015. This village Sunapugutta Thanda already included in the Master

Plan 2001 of Kadiri Municipality as per Director of Town and Country Planning, Hyderabad as per L.P.no.157/1979. But voters of Sunnapugutta Thanda were included P.S.No.138 (new 127) covering under Kummaravandlapalli Grampanchayat since last several years for the reasons not known.

In the reference 4th cited, the Municipal Commissioner, Kadiri has submitted detailed report to the Revenue Divisional Officer, Kadiri stating that Sunnapugutta Thanda geographical area is located in Kadiri Municipality and reported that the P.S.No.127 Sunnapugutta Thanda may be included in Kadiri Municipality.

In the reference 5th cited, the Municipal Commissioner, Kadiri has submitted report to the District Collector, Anantapur, with regard to inclusion of Sunnapugutta Thanda Polling Station No.127 into Kadiri Municipality.

In the reference 6th cited, the Sub-Registrar, Kadiri has furnished information to the applicant Sri M.Nagendra Naik, Sunnapugutta Thanda, under R.T.I.Act, 2005, the Sy.Nos.464, 465, 467, 191, 192, 193, 179, 180, 176, 171, 195, 196, 360, 361, 362, 478, 470, 188, 199, 178, 453, 368, 452, 469, 181A and 182 are related to Kadiri Municipality (Kadiri Revenue fields) and S.R.O., Kadiri has further informed that the Transfer Duty pertaining to above lands is being adjusted to Kadiri Municipality. These lands are pertaining to Sunnapugutta Thanda.

In the reference 7th cited the Tahasildar, Kadiri has submitted report that the geographical area of Sunnapugutta Thanda, was included in Kadiri Municipality. But the voters of Sunnapugutta Thanda are included in Kummaravandla Gram Panchayat long back designated with Polling Station 138 (new P.S.No.127) for the reasons now known. The Gram

Panchayhat, Kummaravandlapalli and Kadiri Municipality were resolted for inclusion of Sunnapugutta Thanda P.S.No.127 into Kadiri Municipality. The villagers of Sunnapugutta Thanda P.S.No.127 into Kadiri Municipality. The villagers of Sunnapugutta Thanda are frequently approaching Municipal Commissioner, Kadiri, Tahsildar, Kadiri and Revenue Divisional Officer, Kadiri for inclusion of P.S.No.127 Sunnapugutta Thanda into Kadiri Municipality. The Tahsildar, Kadiri has finally recommended that the P.S.No.127 Sunnapugutta Thanda may be included in Kadiri Municipality.

In the reference 8th cited the Revenue Divisional Officer, Kadiri has submitted report to the District Collector, Ananthapuramu that the Sunnapugutta Thanda may be included in Kadiri Municipality by withdrawing from Kummaravandlapalli Gram Panchayhat as the geographical area was already included in Kadiri Municipality.

In view of the above, it is submitted that the Election Commission of India has issued instructions to conduct Rationalisation of Polling Stations Programme w.e.f.01.07.2018. Hence, the request of transfer of voters from Kummaravandlapalli Gram Panchayhat to Kadiri Municipality will be considered during the Rationalisation Programme as the geographical area was already included in Kadiri Municipality.

This is for favour of information.”

Having noticed the above instructions, keeping in view the contents of the same, this Court deems it appropriate to dispose of the Writ Petition, by placing on record the above said

instructions, with a direction to the respondents to consider the claim of the petitioner herein, in accordance with law.

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:20.06.2018
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