THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.450 of 2019

ORDER:

The prayer of the petitioner in this case reads as under:

> 'For the reasons stated in the accompanying affidavit, it is prayed that this Hon'ble Court may be pleased to issue an appropriate Writ, order or Direction, more particularly one in the nature of Writ of Mandamus, declaring the action of the respondent authorities in not transposing the entry of the petitioner in the Gudibanda Electoral Roll, Kodad Mandal, Suryapet District, in spite of submitting the representation dt. 03-01-2019, thereby deprived the petitioner of her lawful right to submit her nomination and contest the ensuing Gram Panchayat election, as being illegal, arbitrary and unconstitutional and consequently direct the respondent authorities to enroll the name of the petitioner in the Gudibanda Electoral Roll before 7-1-2019 so as to enable the petitioner to submit the nomination and contest the elections, and to grant such other relief or reliefs as this Hon'ble Court deems fit and proper in the circumstances of the case.'

By the representation dated 03.01.2019, the petitioner sought inclusion of her name in the Voters List of Gudibanda Village on the ground that she shifted to Gudibanda Village two years ago.

The case of the petitioner is that she shifted from Kodad Village to Gudibanda Village in Kodad Mandal about two years ago and her name still continues on the Voters List of Kodad Village. By the representation dated 03.01.2019, she wants her name to be shown in the Voters List of Gudibanda Village.

However, Rule 6 of the Telangana Panchayat Raj (Preparation and Publication Of Electoral Rolls) Rules, 2018 (*for brevity*, 'the Rules of 2018'), prescribes that any omission of a name in the electoral roll can be settled only after suitable amendment is made to the relevant entry in the electoral roll of the Legislative Assembly Constituency based on which the Gram Panchayat roll was prepared.

Sri N.Hari Prasad, learned counsel for the petitioner, would fairly concede that the name of the petitioner is not shown in the electoral roll of Gudibanda Village Legislative Assembly Constituency.

That being so, unless the petitioner takes steps in accordance with the Rule 6 of the Rules of 2018, there would be no purpose served in directing the Telangana State Election Authorities to consider the petitioner's representation dated 03.01.2019.

The writ petition is accordingly disposed of leaving it open to the petitioner to take steps as per Rule 6 of the Rules of 2018 for inclusion of her name in the electoral roll of Gudibanda Village, Kodad Mandal.

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

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JUSTICE SANJAY KUMAR

Date:04.01.2019

PGS