

THE HONOURABLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION NO.795 OF 2019

ORDER

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

'For the reasons stated in the accompanying affidavit, it is therefore prayed that this Hon'ble Court may be pleased to issue a Writ, Order or direction, more particularly one in the nature of WRIT OF MANDAMUS, declaring the action of the Respondent No. 3 in illegally striking off the candidatures of the Petitioners herein for Ward No. 7 and 8 respectively of Vitthalpur Gram Panchayat, Damargidda Mandal, Mahabubnagar District, after including them in the list of validly nominated candidates and list of contesting candidates along with election symbol, as illegal, unjust and violative of Article 14, 15, 16 of our Constitution apart from violative of Rule 15 of the Telangana Panchayat Raj (Conduct of Elections) Rules, and consequently direct the Respondents to include the names of the petitioners in the list of contesting candidates and then only conduct elections to the Gram Panchayat and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.'

It is not in dispute that the election to Ward Nos.7 and 8 of Vitthalpur Gram Panchayat, Damargidda Mandal, Mahabubnagar District, is scheduled to be held today.

It that be so, it is too late in the day for this Court to even entertain this writ petition given the binding edict of the Supreme Court in **N.P.PONNUSWAMI V/s. RETURNING OFFICER, NAMAKKAL CONSTITUENCY, NAMAKKAL, SALEM DISTRICT**¹.

The writ petition is accordingly dismissed on this short ground. Needless to state, this order shall not preclude the petitioners from filing

¹ AIR 1952 SC 64

an election petition on the strength of the ground raised in this writ petition, if so advised.

Pending miscellaneous petitions shall also stand dismissed. No order as to costs.

21st JANUARY, 2019

Sv

SANJAY KUMAR, J