

THE HONOURABLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION NO.814 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 any appropriate Writ, Order or direction, more particularly one in the nature of Writ of Mandamus declaring the impugned rejection order vide Proceeding No. G/30/2019 dated 16.1.2019 issued by the 5th respondent in appeal is illegal, unconstitutional, arbitrary and violation of principles of natural justice, contrary to the Section 21 (i) of the Telangana Panchayat Raj Act, 2018, consequently direct the respondents to allow the petitioner for contesting as Sarpanch, Suraram Village, Ramannapet Mandal, Yadadri-Bhuvanagiri District in the ensuing Gram Panchayat Raj elections would be held on 25.1.2019 and pass such other and further order or orders deemed fit and proper in the interest of justice.'

It is not in dispute that the election to the post of Sarpanch, Suraram Village, Ramannapet Mandal, Yadadri-Bhuvanagiri District, is scheduled to be held on 25.01.2019 and the list of contesting candidates has already been published on 17.01.2019. It is therefore too late in the day for this Court to permit the petitioner to contest for the said post even if she is able to make out a fool proof case.

In the light of the binding edict of the Supreme Court in **N.P.PONNUSWAMI V/s. RETURNING OFFICER, NAMAKKAL CONSTITUENCY, NAMAKKAL, SALEM DISTRICT¹**, this writ petition is not maintainable and is accordingly dismissed. It is however left open to the petitioner to file an election petition on the strength of the ground raised in this writ petition, if so advised.

¹ AIR 1952 SC 64

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

21st JANUARY, 2019

Sv

SANJAY KUMAR, J