

THE HONOURABLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION NO.1005 OF 2019

ORDER

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

'For the reasons stated in the accompanying affidavit, it is hereby prayed that this Hon'ble Court may be pleased to issue a writ more in the nature of writ of mandamus or any other writ order or direction, to declare the impugned action of the 6th Respondent in rejecting the nomination of the petitioner for contesting as Ward Number of Ward No.7 of Jonnalabaguda Village, Peddakothapally Mandal, Nagar Kurnool district as illegal, arbitrary, unconstitutional and void being violative of Arts.14 and 16 of the Constitution of India, though the petitioner's nomination has shown as valid nomination and same it is dispaly in the notice board and consequently direct the Respondents to treat the nomination of the petitioner as valid nomination by allowing her to participate in the election process and to pass such other order or orders as this Hon'ble Court may deems fit just and proper in the circumstances of the case.'

The material placed on record does not demonstrate in clear terms that the petitioner's children were all born before 31.05.1995, the cut-off date stipulated in Section 21(3) of the Telangana Panchayat Raj Act, 2018. It is an admitted fact that the Returning Officer, Jonnabaguda Village, Peddakothapally Mandal, Nagar Kurnool District, rejected the nomination of the petitioner on the ground that she suffered disqualification under the aforestated provision and the same was confirmed in appeal by the Appellate Authority.

In that view of the matter, as the election is scheduled to be held on 30.01.2019 as per the election schedule notified in Annexure-I to the election notification dated 01.01.2019, this Court cannot interfere in the matter at this stage as it would be in violation of the binding edict of the

Supreme Court in **N.P.PONNUSWAMI V/s. RETURNING OFFICER, NAMAKKAL CONSTITUENCY, NAMAKKAL, SALEM DISTRICT¹**.

The writ petition is accordingly dismissed on this short ground. This order shall however not preclude the petitioner from invoking appropriate remedies available to her in accordance with law if she is still aggrieved by the rejection of her nomination.

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

22nd JANUARY, 2019

Svv

SANJAY KUMAR, J

¹ AIR 1952 SC 64