

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.1442 of 2019

ORDER:

The petitioner seeks rejection of the nomination filed by the sixth respondent for contesting the election to the post of Sarpanch, Bodabanda Thanda Gram Panchayat, Yellure Post, Kollapur Mandal, Nagarkurnool District, on the ground that she is under-aged.

A copy of the Bonafide Certificate issued by the ZPHS, Kothapet, Medchal, is placed on record in support of the petitioner's contention that the sixth respondent is under-aged. The said certificate indicates the date of birth of the sixth respondent as 10.08.2000, thereby making her less than 21 years of age, the required age as per Section 19 of the Telangana Panchayat Raj Act, 2018.

The subject election is scheduled to be held on 30.01.2019. That being so, any interference by this Court at this stage behind the back of the sixth respondent would eliminate her from the fray thereby benefiting the petitioner, a contesting candidate for the same post.

In that view of the matter, such interference cannot be held to aid further progress of the election as required by the law laid down by the Supreme Court in **N.P.PONNUSWAMI V/s. THE RETURNING OFFICER, NAMAKKAL CONSTITUENCY, NAMAKKAL, SALEM DISTRICT¹** and later decisions.

The writ petition is therefore dismissed on this short ground leaving it open to the petitioner to invoke appropriate remedies available to her in law in the event the sixth respondent is elected.

¹ AIR 1952 SC 64

Pending miscellaneous petitions, if any, shall also stand dismissed.

No order as to costs.

JUSTICE SANJAY KUMAR

Date:28.01.2019

GJ