

THE HONOURABLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION NO.1953 OF 2019

ORDER

The grievance of the petitioner is that the authorities failed to disqualify the 5th respondent and allowed her to contest the election held on 25.01.2019 to the post of 10th Ward Member of Edulagattupalli Gram Panchayat, Manakondur Mandal, Karimnagar District, though she has more than three children, the last of whom was born after 31.03.1995.

It is relevant to note that as per the election schedule notified as per Annexure-I to the Election Notification dated 01.01.2019, the scrutiny of nominations filed by the contesting candidates was undertaken on 14.01.2019 up to 5.00 P.M. and the list of validly nominated candidates was displayed on the said date after 5.00 P.M. It appears that the petitioner raised her objections only on 15.01.2019, a day later.

That apart, in the light of the law laid down by the Supreme Court in **N.P.PONNUSWAMI V/s. RETURNING OFFICER, NAMAKKAL CONSTITUENCY, NAMAKKAL, SALEM DISTRICT¹** and later decisions, it would not be open to this Court to interfere in electoral matters after issuance of the Election Notification unless such interference would have the effect of aiding the progress of the election and would not result in obstructing it.

The petitioner, being a contesting candidate, therefore cannot seek to maintain this writ petition after declaration of the election result.

The writ petition is accordingly dismissed on the aforesaid grounds. This order shall however not preclude the petitioner from taking

¹ AIR 1952 SC 64

recourse to the remedies available to her in law against the 5th respondent, if she so chooses.

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

SANJAY KUMAR, J

1st FEBRUARY, 2019

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