

HONOURABLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.5814 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 an appropriate Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus declaring the notice No.B2/1111/2018 in Form No.V dated 06.03.2019 issued by the 3rd respondent to convey the meeting of Mandal Parishad at the office of Keesara Mandal Parishad on 23.3.2019 for considering of motion of no confidence against the petitioner as illegal arbitrary contrary to Section 263 of Telangana Panchayath Raj Act, 2018, and against the settled principles of law and consequently set aside the same and to pass such other order or orders as this Honourable Court may deem fit and proper in the facts and circumstances of the case.”

The impugned notice in Form V dated 06.3.2019 issued by the Revenue Divisional Officer, Keesara Division, Medchal-Malkajgiri District, demonstrates that a motion expressing want of confidence was moved against the petitioner who is the President of Keesara Mandal Praja Parishad. The Revenue Divisional Officer therefore put her on notice that a meeting would be convened on 23.3.2019 at 11 am to consider the said motion of No Confidence.

Sri K.S.Sunil, learned counsel for the petitioner, would contend that holding of the proposed meeting would be in contravention of law as the District Collector & District Election Authority, Medchal-Malkajgiri District, issued notification dated 05.3.2019 in relation to Keesara Mandal Praja Parishad along with others.

However, perusal of the notification dated 05.3.2019 demonstrates that the District Collector & District Election Authority, Medchal-Malkajgiri District, merely notified the offices of Presidents,

Mandal Praja Parishads in Medchal-Malkajgiri District, which were reserved for persons belonging to Scheduled Tribes, Scheduled Castes, Backward Classes and women. The office of President of Keesara Mandal Praja Parishad was reserved for backward classes thereunder.

Sri K.S.Sunil, learned counsel, would submit that no notification has been issued in connection with the proposed ordinary elections of 2019.

In any event, this Court is at a loss to understand as to how issuance of such notifications by the election authorities would have any impact upon the meeting proposed to be held in relation to the No Confidence expressed by the members of the Mandal Praja Parishad against its President.

Sri K.S.Sunil, learned counsel, fairly concedes that he could not lay his hand on any authority holding to that effect.

On the above analysis, this Court finds that there are no grounds made out to stall the meeting proposed to be held on 23.3.2019. It is for the petitioner to participate in the said meeting and raise all such pleas as are available to her in law.

The Writ Petition is accordingly dismissed.

Pending Miscellaneous Petitions, if any, shall also stand dismissed. No order as to costs.

JUSTICE SANJAY KUMAR

22nd March, 2019

Note:
Issue CC today.
B/o
dr