

THE HON' BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.5938 of 2019

ORDER:

This writ petition is filed with the following prayer:

“... to issue a Writ, Order or direction, more particularly one in the nature of Mandamus, declaring the action of the 2nd respondent impugned proceedings No.397/TSEC-L/2015-(7), dated 28.07.2017 is illegal and opposed to Articles 14, 19 and 21 of the Constitution of India, including the provisions of Section 15(B) of the Telangana Municipalities Act, 1965, without publishing the impugned proceedings in Telangana Gazette, and consequently to set aside the impugned proceedings dated 28.07.2017 without interfering with the petitioner contesting rights in election without following due process of law in the interest of justice and to pass ... ”

When the matter is taken up, learned counsel for both the sides submit that the subject matter of the present writ petition is squarely covered by the order dated 01.08.2019 passed in W.P.No.586 of 2019.

This Court while allowing W.P.No.586 of 2019 by order dated 01.08.2019, observed as under:

“4. In W.P.No.2630 of 2018 and batch, dated 20.03.2019, learned single Judge of this Court considered the issue in detail and held such action of the State Election Commission in disqualifying the candidates on the ground that they did not file election expenditure in the elections held in the year 2014 after long lapse of time as illegal, and amounts to arbitrary exercise of power, and set aside the similar orders passed against the petitioners therein.”

Accordingly, in terms of the order dated 01.08.2019 in W.P.No.586 of 2019, and for the reasons alike, this writ petition is also allowed. No costs. Miscellaneous petitions, if any pending, shall stand closed.

CHALLA KODANDA RAM, J

28th October, 2019

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