

HONOURABLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.6072 of 2019

ORDER:

The prayer of the petitioners 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 inaction of the respondents in taking action on the representation of the petitioners dated 28.02.2019 and 11.3.2019 as illegal, contrary to law, constitutional rights and judicial precedents and be pleased to pass orders as the court sees fit 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.”

Perusal of the representations made by the petitioners demonstrates that the grievance put forth thereunder was that respondent No.5 herein, who was elected as the Sarpanch of Gundlapally Gram Panchayat in Medipalli Mandal, Jagtial District, was disqualified to contest the election for the said post as he was underaged in terms of Section 19 of the Telangana Panchayat Raj Act, 2018 (for brevity, 'the Act of 2018').

Be it noted that after the completion of the election, the Act of 2018 provides the petitioners an efficacious alternative remedy by way of filing an Election Petition if they so choose. Further, they are also provided another remedy by way of Section 27 of the Act of 2018 before the District Court concerned. Without availing these remedies, it is not open to the petitioners to come before this Court by way of this Writ Petition and seek adjudication of the issue.

The Writ Petition is accordingly dismissed leaving it open to the petitioners to take recourse to either of the alternative remedies

available to them under the Act of 2018 in accordance with the due procedure.

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

JUSTICE SANJAY KUMAR

25th March, 2019
dr

