

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

WRIT PETITION No.9855 OF 2019

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed seeking to declare the action of respondent No.4 in issuing Gazette Notification No.B3/13/2019/ dated 05.03.2019 Rc.No.L3/583/2019, ZPP Khammam, without making reservations to the category of the Scheduled Tribes for the seats of Presidents of Mandal Praja Parishad of Bhadradri Kothagudem District in so far as Annexure S.Nos.17 and 19 i.e, Aswapuram and Burgampahad Mandals, which covers village of scheduled area as illegal, arbitrary and violative of Article 243-M(1) and 4(b) of Part-IX, Article 244(1) r/w Fifth Schedule of the Constitution of India, the Scheduled Areas (Part-B, States) Order, 1950, Sec.4(g) of the Provisions of Panchayats (Extension to Scheduled Areas) Act, 1996, Section 255 and 147 (4) of the Telangana Panchayatraj Act, 2018 and set aside the same to the extent of Mandals Aswarpuram and Burgampahad of Bhadradri Kothagudem District.

2. Heard learned counsel for the petitioner and Sri P. Sudheer Rao, learned Standing Counsel for State Election Commission, appearing for respondent No.3, and perused the record.

3. In the course of submissions, it is brought to the notice of this Court that the whole process of nomination is completed, after identifying the segments.

4. Under these circumstances, since the process of election has already been commenced and as this writ petition is filed belatedly, it is not appropriate to examine the contentions raised in this writ petition.

5. So, the Writ Petition is accordingly dismissed.

Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed. There shall be no order as to costs.

May 08, 2019.
MD

Dr. SHAMEEM AKTHER, J

