

THE HONOURABLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION NO.12025 OF 2019

ORDER

The prayer of the petitioner in this case reads as under:

'For the reasons stated in the accompanying affidavit, it is prayed that this Hon'ble Court may be pleased to issue Writ or direction preferably Writ of mandamus, declaring the proceedings Rc.No.A1/Elections/2019 dt.13-6-2019 issued by the respondent no.3 declaring that the petitioner has ceased to hold office of MPTC of Thimminenipalem for disobedience of party whip as illegal, arbitrary and violative of principles of natural justice and violative of Art.14 of Constitution of India and the provisions of sec. 147 of Telangana Panchayat Raj Act, 2018 and rules formulated there under vide G.O.Ms. no. 27 Panchayat Raj Department, dt. 19-5-2018 and consequently set aside the same, and pass such other or further orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.'

By the impugned order dated 13.06.2019, the petitioner was disqualified from holding office as a Member of the Mandal Praja Parishad Territorial Constituency, Thimminenipalem, under Rule 11 of the Telangana Panchayat Raj (Conduct of Election of Member (Co-opted), President and Vice-President of Manda Praja Parishad and Members (Co-opted), Chairperson and Vice-Chairperson of Zilla Praja Parishad) Rules, 2018.

It may be noted that Section 148 of the Telangana Panchayat Raj Act, 2018 provides an efficacious alternative remedy by way of approaching the jurisdictional District Court, if the petitioner has any grievance with regard to the aforestated disqualification proceedings.

In the light of the efficacious alternative remedy provided to the petitioner under the statute, this Court does not deem it appropriate to entertain this writ petition at this stage.

The writ petition is accordingly dismissed leaving it open to the petitioner to take recourse to the statutory remedy provided to him in accordance with law. Pending miscellaneous petitions, if any, shall also stand dismissed. No order as to costs.

SANJAY KUMAR, J

18th JUNE, 2019

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