

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.14973 OF 2019

Date:19.07.2019

Between:

Balka Suresh, S/o. Rajaram,
Age 60 years, Occ: Business,
R/o.H.No.6-1-164/1, Ward No.1,
Regunta, Metpally Proper and
Mandal, Jagtial District .. Petitioner

And

The State of Telangana, rep., by its
Principal Secretary to the Municipal
Administration, Secretariat Buildings,
Hyderabad and others .. Respondents



The Court made the following:

THE HON'BLE SRI JUSTICE P.NAVEEN RAO**WRIT PETITION No.14973 OF 2019****ORDER:**

Heard.

2. Petitioner claims to be a voter of Ward No.1 of Metpally Proper. His grievance is that in the voters list now published by the Municipality, against Serial No.490, though his photo is pasted and his father name is shown, but the name of the voter is shown as Mohd. Jaleel Pasha, whereas he is Balka Suresh and the same is illegal.

3. In support of the contention that wrong name was entered in the voters list by the Municipality, learned counsel for the petitioner sought to contend that he was issued Identity Card by the Election Commission of India reflecting his name correctly and he also participated in the general elections conducted in the year 2018-19 and therefore the correction now carried out is illegal.

4. Learned Standing Counsel representing the State Election Commission placed before this Court the extract taken from the Election Commission of India web site to show that even as of now in the list of Election Commission of India, the name of the voter is shown as Mohd. Jaleel Pasha, son of Rajaram. She therefore points out that the petitioner should submit an application to the Electoral Registration Officer seeking correction of the entries in the voters list and unless such corrections are carried out, the entries cannot be changed by the State Election Commission.

5. As per Section 11 of the Municipalities Act, the State Election Commission has no authority to change the voters list determined by the Election Commission of India. As per the Circular No.999/TSEC-ULBs/2018, dated 01.12.2018 issued by the State Election Commission, whenever there is a mistake entered in the voters list published by the Election Commission of India, the aggrieved person has to make an application to the Electoral Registration Officer to carry out corrections and until and unless such corrections are carried out, the entries in the voters list cannot be changed.

6. Having regard to the provisions contained in Section 11 of the Municipalities Act and as per the Circular Instructions, dated 01.12.2018, prayer sought to correct the voters list by Municipality cannot be granted.

7. Leaving it open to the petitioner to file an application to the Electoral Registration Officer/Revenue Divisional Officer, the Writ Petition is disposed of. Pending miscellaneous petitions shall stand closed.

P. NAVEEN RAO, J

Date:19.07.2019

Note:- Issue C.C. in three days.

(B/o)
KH