

THE HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.15099 OF 2019

ORDER:

Petitioner is a resident of Wyra Municipality. Petitioner complains that the names of certain persons, who do not belong to the Scheduled Caste and Backward Class categories as they were converted as Christians, continued to be reflected as if belonging to SC/BC in the voters' list of the Municipality.

2. According to the learned counsel for the petitioner, though information was sought from the Tahsildar to know the status of those persons, Tahsildar has not furnished information but petitioner asserted information and same would disclose that certain persons though do not belong to the social status of SC/BC, their names continued to be reflected in the voters' list as belonging to SC/BC.

3. Petitioner contends certain persons converted to Christianity and have availed benefits provided by the Government including Christmas gift kits and once they have converted to Christianity, they ceased to be Scheduled Caste and backward classes. In view thereof, there will be drastic variation in composition of voters belonging to various communities, having direct impact on the application of reservation to various social groups.

4. According to learned standing counsel as per Section 11 of the Telangana Municipalities Act, 1965, the voters' list drawn by the Election Commission of India alone is required to be adopted by the State Election Commission and the State Election Commission has no competence to change the voters' list. Learned

standing counsel for the State Election Commission submits that the municipalities are not concerned with identification of social status of the voters and such exercise is taken up by Government alone and if the petitioner has any grievance on the social status of any person, he must file an application to the Government.

5. Having regard to the said submission, liberty is granted to the petitioner to make application to the Government highlighting the social status of the voters and on such application being made, the Principal Secretary to the Government shall consider the same objectively, if necessary by affording due opportunity to the persons who are likely to be affected. He shall communicate his decision to the petitioner. If Principal Secretary is in agreement with the contentions urged by the petitioner, he shall accordingly instruct the municipality to effect necessary changes in the voters list with reference to social status.

6. Further, if petitioner has grievance against the inclusion of the names in the voters' list, he may make an application to the Electoral Registration Officer, who is Revenue Divisional Officer concerned, and if the Electoral Registration Officer undertakes the exercise, on such application and revises the voters' list and forward the said list to the State Election Commission, the same shall be accepted and voters' list of the Municipality be published by the concerned Municipality.

7. Having regard to the same, the relief sought for in this Writ Petition cannot be granted. Accordingly, the Writ Petition is dismissed subject to liberty granted to the petitioner as above.

Pending miscellaneous petitions, if any, shall stand closed. No order as to costs.

P.NAVEEN RAO, J

24th July, 2019
sur / tvk

