

THE HON'BLE SRI JUSTICE T.VINOD KUMAR

WRIT PETITION No.22658 of 2019

ORDER:

The present writ petition is filed to declare the action of respondents 3 to 6 in effecting alterations in respect of voters list for Ward No.8 published on 27.03.2019 of Akuthotabavi Thanda Gram Panchayat, Bhongir Mandal, Yadadri-Bhuvanagiri District, as being illegal and arbitrary and also in contravention of the provisions of the Telangana Panchayat Raj Act, 2018 and the Telangana Panchayat Raj (Preparation and Publication of Electoral Rolls) Rules, 2018, and seeks a consequential direction to set aside the same.

2. Heard J.Prabhakar, learned counsel for the petitioners, learned Government Pleader for Panchayat Raj appearing for respondents 1 to 3, Sri G.Narender Reddy, learned standing counsel for Gram Panchayat appearing for respondents 4 and 5 and Sri P.Sudheer Rao, learned counsel appearing for the impleaded respondent 7 – Telangana State Election Commission, Hyderabad.

3. The District Panchayat Officer, Yadadri-Bhuvanagiri District, the third respondent herein, and the Telangana State Election Commission, Hyderabad, respondent 7 herein, filed separate counter-affidavits in the matter. In the counter filed by respondent 7, it is stated that respondent 7 issued instructions, *vide* Letter No.621/TSEC-PR/2019, dated 24.09.2019, stating that there is no objection in using GPERs prepared and published during MPTC/ZPTC Elections, 2019, if they are found to be accurate, but in any case, the Ward Division/Jurisdiction of the Gram Panchayat followed during Gram Panchayat Ordinary Elections (January, 2019) shall continue to be the same and such ward jurisdiction shall not be disturbed/changed till next ordinary elections.

4. The learned counsel for the petitioner submits that if this Court notes the above assertion made by respondent 7, no further orders would be required in the matter. Further, the learned counsel for the petitioner would submit that the electoral rolls published on 30.09.2019 as regards Akuthotabavi Thanda Gram Panchayat, Bhongir Mandal, have since lapsed, the authorities cannot act on the same. Learned counsel would further submit that respondent 7 has issued notification No.621/TSEC-PR/2019-5, dated 05.12.2019, directing respondent 3 to prepare and publish draft photo electoral rolls of Akuthotabavi Thanda Gram Panchayat, Bhongir Mandal, duly following the ward jurisdiction carved out in Gram Panchayat Electoral Rolls-2018, that were used for the Gram Panchayat Ordinary Elections, 2019 and also issued a schedule for the said purpose.

5. Having regard to the notification dated 05.12.2019 issued by respondent 7, whereby the schedule with regard to the preparation of the draft photo electoral rolls and the procedure to be followed thereafter having been laid down, challenge in the present writ petition to the earlier electoral rolls does not require any further adjudication by this Court as the apprehension/grievance of the petitioner in approaching this Court by invoking Article 226 of the Constitution of India, stands redressed.

6. The writ petition is accordingly closed. Pending miscellaneous petitions, if any, shall also stand closed. No order as to costs.

JUSTICE T.VINOD KUMAR

Date:16.12.2019

GJ