

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 23793 of 2019

ORDER:

This Writ Petition is filed for the following relief:

“....to issue a writ order or direction more particularly one in the nature of Writ Mandamus declaring the order in proceedings No 316//TSECPRPDP/2017729 dated 12/01/2018 of the 3rd Respondent disqualifying the Petitioner on the pretext that the petitioner has not submitted final accounts of expenditure in the earlier elections contested for the post of ward member from Manthani Village and Mandal Formerly in Karimnagar District Presently in Pedapalli District as illegal arbitrary and in violation of principles of natural justice in violation of Article 14 19 and 21 of the Constitution of India and set aside the same and consequently suspend the operation of the proceedings in No 316//TSECPRPDP/2017729 dated 12/01/2018 of the 3rd Respondent thereby disqualifying the Petitioner from contesting elections on the pretext that he has not submitted his final accounts of election expenditure of the earlier elections.”

When the matter is taken up, it is submitted by the learned counsel for the petitioner that the issue raised in the present Writ Petition is squarely covered by the common order dated 20.03.2019 passed by this Court in W.P.No.2630 of 2018 and batch.

Learned Standing Counsel for the Telangana State Election Commission and for Manthani Municipality appearing for

respondent Nos.3 and 4 respectively do not dispute the aforesaid submission.

Relevant portion of the aforesaid order reads as under:

“...the balance would tilt in favour of the petitioners, given the lapses on the part of the election authorities in giving effect to their statutory obligations and the orders of disqualification visited upon the petitioners by the Commissioner are accordingly, set aside.”

In those circumstances, following the above said common order and for the reasons recorded therein, this Writ Petition is also allowed setting aside the impugned order.

Miscellaneous Petitions, if any pending, shall stand disposed of. There shall be no order as to costs.

CHALLA KODANDA RAM, J

31st OCTOBER, 2019.

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