IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 18TH DAY OF DECEMBER, 2020

BEFORE

THE HON' BLE MR.JUSTICE R DEVDAS

WRIT PETITION NO. 15103 OF 2020(LB-ELE)

BETWEEN:

SRI. CHIKKAVENKATEGOWDA URF SWAMY,
S/O C.VENKTAPPA,
AGED ABOUT 58 YEARS,
PANDITHAHALLI VILLAGE,
DASANADODDI,
B.G.PURA HOBLI,
MALAVALLI TALUK,
MANDYA – 571 430.

...PETITIONER

(BY MR. KEMPARAJU, ADVOCATE)

AND:

1. THE STATE ELECTION COMMISSION,
KSCMF BUILDING,
NO.8, 1ST FLOOR,
CUNNINGHAM ROAD,
BENGALURU – 560 052,
REP. BY ITS CHIEF SECRETARY.

2. THE DISTRICT ELECTION COMMISSIONER,
MANDYA DISTRICT,
MANDYA – 571 401.

3. THE TALUK ELECTION COMMISSIONER,
MALAVALLI TALUK,
MALAVALLI – 571 430.

4. THE RETURNING OFFICER,
THE PANCHAYATH DEVELOPMENT OFFICER,
PANDITHHALLI VILLAGE PANCHAYATH,
MALAVALLI TALUK – 571 430. …RESPONDENTS

(BY SMT. VAISHALI HEGDE, ADVOCATE FOR R1.
SRI. NITHYANANDA K.R., HCTGP FOR R2 TO R4)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO DIRECT THE R-4 TO CONSIDER THE NOMINATIONS VIDE ANNEXURE-F DATED 11.12.2020 AND PERMIT THE PETITIONER TO PARTICIPATE IN THE ELECTION FOR THE TERM OF 2020-2025 AND ETC.

THIS WRIT PETITION IS COMING ON FOR ORDERS THIS DAY, THE COURT MADE THE FOLLOWING:

ORDER

R. DEVDAS J., (ORAL):

The petitioner who had filed his nomination for the Election of the Pandithhalli Grama Panchayath, has filed this writ petition in view of rejection of his nomination papers.

2. In view of the express bar under Section 15 of the Karnataka Gram Swaraj and Panchayat Raj Act, 1993 that any election to fill the seat in Grama Panchayath shall be called in question only by a duly constituted Election Petition presented on one or more of the grounds specified

that Sub-Section 1 of the Section 19 and Section 20 to the designated Court within whose territorial jurisdiction Panchayath area is situated, this writ petition is not maintainable.

3. Consequently, writ petition stands dismissed.

SD/-
JUDGE

pgg