APHC010144922025

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI **[3329]**
(Special Original Jurisdiction)

THURSDAY ,THE TWENTIETH DAY OF MARCH
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

WRIT PETITION NO: 7378/2025

Between:

Mahendradev Suryadevara **...PETITIONER**

AND

The State Of Andhra Pradesh and Others **...RESPONDENT(S)**

Counsel for the Petitioner:

1. ADAPA RAMYA SAHITHI NAIDU

Counsel for the Respondent(S):

1. GP FOR REGISTRATION AND STAMPS

The Court made the following:

THE HON'BLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

WRIT PETITION.NO.7378 OF 2025

ORDER:-

This writ petition is filed under Article 226 of the Constitution of the India seeking the following reliefs:-

> *"to issue a Writ, Order or Direction more particularly one in the nature of Writ of Mandamus declaring the action of the Respondents in permitting the 5th respondent to contest the election to be held on 20.03.2025 to the post of Vice President for 4th Respondent Society even after submission of withdrawal of his nomination form is wholly illegal, arbitrary, violative of Articles 14 and 21 of the Constitution of India and consequently declare that the 5th respondent is not entitled to contest the election and pass such other order or orders..."*

2. Heard learned counsel for petitioner and learned Government Pleader for the respondents.

3. When the matter is taken up for hearing, learned counsel for the petitioner would submit that the issue involved in this Writ Petition is squarely covered by the order dated 28.09.2022 passed by this Court in Writ Petition No.8696 of 2022 and requested to pass a similar order in this writ petition also.

4. For better understanding the operative portion of the said order reads as follows:

> *"…However, the writ petitioner is at liberty to file an application under Section 23 of the A.P. Societies Registration Act, 2001, in the concerned District Court after the result of the election is declared. As the petitioner was deprived of his right to contest the election on account of rejection of his*

nomination form, which in the view of the writ petitioner is improper rejection, if found to be true, on fact, would materially vitiate the result of the election, in the event of the writ petitioner filing any such application under Section 23 of the A.P. Societies Registration Act, challenging the legal validity of election, the concerned District Court shall expeditiously dispose of the said application, within six months from the date of filing the said application, without fail....."

5. The same is not disputed by learned Government Pleader appearing for the respondents.

6. In view of the same, let there be a similar order in this case, following the identical lines as in Writ Petition No.8696 of 2022, dated 28.09.2022.

7. In the result, the Writ Petition is dismissed, granting liberty to the petitioner to file an application under Section 23 of the A.P. Societies Registration Act, 2001, in the concerned District Court after the result of the election is declared. As the petitioner was deprived of his right to contest the election on account of rejection of his nomination form, which in the view of the writ petitioner is improper rejection, if found to be true, on fact, would materially vitiate the result of the election, in the event of the writ petitioner filing any such application under Section 23 of the A.P. Societies Registration Act, challenging the legal validity of election, the concerned District Court shall expeditiously dispose of the said application, within six months from the date of filing the said application, without fail.

8. Registry is directed to attach a copy of the order passed by this Court in Writ Petition No.8696 of 2022, dated 28.09.2022, to this order. No costs.

Consequently, miscellaneous petitions, pending, if any, shall stand closed.

VENKATESWARLU NIMMAGADDA, J

Date:20.03.2025
BSP

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THE HON'BLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

WRIT PETITION.NO.7378 OF 2025

Date:20.03.2025
BSP