IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
(Special Original Jurisdiction)

TUESDAY, THE TWENTY THIRD DAY OF DECEMBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SMT JUSTICE T.MADHAVI DEVI

WRIT PETITION NO: 39640 OF 2025

Between:

Durgam Ambika, W/o. Revaiah, Aged 31 years, Occ Housewife, R/o. H.No. 1-22, Beebra, Dahegaon Mandal, Kumarambheem Asifabad District.

...PETITIONER

AND

1. The State of Telangana, Rep. by its Principal Secretary, Panchayat Raj and Rural Development Department, Secretariat Buildings, Hyderabad.
2. The Telangana State Election Commission, 1st Floor, DTCP Building, A.C. Guards,Hyderabad-500004, Rep. by its Commissioner.
3. The District Collector / District Election Officer, Komaram Bheem Asifabad District.
4. The Sub-Collector and Revenue Divisional Officer / Returning Officer, Kagaznagar, Komaram Bheem Asifabad District.
5. The Returning Officer, Beebra Cluster, Beebra Gram Panchayat, Dahegaon Mandal Komaram Bheem Asifabad District
6. Durgam Harika, W/o. Santosh, Aged 28 years, R/o. H.No.2-20, Beebra, Dahegaon Mandal, Kumarambheem Asifabad District.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of writ of Mandamus A) Declaring that the 6th Respondent's election result as null and void as she has been awarded with one vote which was stated to be missing by the 5th respondent till 4th round of the counting process and thereafter awarded the same as belonging to the 6th respondent without showing any particulars to the petitioner or her booth agent, as Section 22 of the Telangana Panchayat Raj Act, 2018 (Act No. 5 of 2018), requiring that the objections raised by the contestants shall be considered and thereby declaration, dated 14-12-2025 issued by the 5th Respondent declaring the 6th Respondent as Sarpanch of the Beebra Gram Panchayat, Dahegaon Mandal, Komaram Bheem Asifabad District,

without considering the Representations 15.12.2025 and 18.12.2025, submitted by the Petitioner, being highly illegal, arbitrary and in violation of Article 14 of the Constitution of India and that the election of the 6th Respondent is void B) To undertake the Coin Toss Method in respect of the votes won by the petitioner as well as the 6th respondent to the Post of Sarpanch of the Beebra Gram Panchayat, Dahegaon Mandal, Komaram Bheem Asifabad District, in respect of the election conducted on 14-12-2025.

IA NO: 1 OF 2025

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the official respondents to stop the 6th respondent from swearing in as Sarpanch of the Beebra Gram Panchayat, Dahegaon Mandal, Komaram Bheem Asifabad District, pursuant to the representations of the petitioner dated 15.12.2025 and 18.12.2025, submitted by the Petitioner pursuant to the election of the 6th Respondent as Sarpach of the Beebra Gram Panchayat, Dahegaon Mandal, Komaram Bheem Asifabad District, pending disposal of the writ petition.

Counsel for the Petitioner: Ms. M.RAJESWARI
Counsel for the Respondent No.1: GP FOR PANCHAYAT RAJ & RURAL DEV
Counsel for the Respondent No.2: SRI P.SUDHEER RAO, SC FOR TSEC
Counsel for the Respondent Nos.3 & 4: GP FOR REVENUE
Counsel for the Respondent No.5: SRI K.PRADEEP REDDY, SC FOR MPP ZPP
Counsel for the Respondent No.6: --

The Court made the following: ORDER

IN THE HIGH COURT FOR THE STATE OF TELANGANA

AT HYDERABAD

THE HONOURABLE SMT. JUSTICE T. MADHAVI DEVI

WRIT PETITION NO.39640 OF 2025

DATED : 23.12.2025

Between:

Durgam Ambika

... Petitioner

AND

The State of Telangana rep. by its Principal Secretary, Panchayat Raj and Rural Development Department, Secretariat, Hyderabad and 5 others

... Respondents

O R D E R

In this Writ Petition, the petitioner is challenging the action on the part of 5th respondent in declaring the 6th respondent as Sarpach of Beebra Gram Panchayat, Dahegaon Mandal, Komaram Bheem Asifa District, without considering the representations dt.15.12.2025 and 18.12.2025 of the petitioner, as illegal and arbitrary.

2. The petitioner claims to have made a written complaints dt.15.12.2025 and 18.12.2025 and the grievance of the petitioner is that the same has not been considered by the official respondents. The

petitioner is therefore seeking a direction to the official respondents to conduct necessary enquiry and do justice with regard to one missing vote which is invalid, is declared to be belonging to the 6th respondent by the 5th respondent and to grant such other relief.

3. According to the learned counsel for the petitioner, there has not been any strict adherence to the rules by the authorities and therefore, recounting should be directed.

4. The petitioner claims to be one of the contestants for the post of Sarpanch of the concerned Gram Panchayat and she has secured 387 votes as against the successful candidate, i.e., respondent No.6 herein, who also secured 387 votes. During counting, it was informed by the 5th respondent that out of 858 votes one vote was missing but after some time, the missing one vote is declared to be belonging to the 6th respondent and she was declared as the winner.

5. Learned Standing Counsel for the State Election Commission as well as the learned Government Pleader for Panchaya Raj and Rural Development and learned Standing Counsel for the concerned Gram Panchayat are all heard.

6. This Court finds that the elections have already been completed and the result of the election is declared and thereafter, any dispute with regard to the same has to be raised only in an election petition before the Election Tribunal. In view thereof, this Writ Petition is not maintainable.

7. The Writ Petition is accordingly dismissed. No order as to costs. However, liberty is granted to the petitioner to raise a dispute on the above issues before the Election Tribunal if she so chooses.

8. Pending miscellaneous petitions, if any, in this Writ Petition shall stand closed.

SD/-A.V.S. PRASAD
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

To

1. One CC to Ms. M.RAJESWARI, Advocate [OPUC]
2. Two CCs to GP FOR PANCHAYAT RAJ & RURAL DEV, High Court for the State of Telangana, at Hyderabad. [OUT]
3. Two CCs to GP FOR REVENUE, High Court for the State of Telangana, at Hyderabad. [OUT]
4. One CC to SRI P.SUDHEER RAO, SC FOR TSEC [OPUC]
5. One CC to SRI K.PRADEEP REDDY, SC FOR MPP ZPP [OPUC]
6. Two CD Copies

PSK.

GJP

HIGH COURT

DATED:23/12/2025

ORDER

WP.No.39640 of 2025



DISMISSING THE WRIT PETITION AS WITHDRAWN WITHOUT COSTS

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ASV
30/12/25