

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

MONDAY, THE THIRTY FIRST DAY OF JULY
TWO THOUSAND AND SIX

PRESENT
THE HON'BLE SRI JUSTICE P.S.NARAYANA

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WRIT PETITION No.15689 of 2006

Between:

1.Bodedhula Nagaiah and 3 others.

..... PETITIONERS

AND

**1.State Election Commission,
rep. by its Commissioner, A.P.III Floor,
Buddha Bhavan, M.G.Road,
Secunderabad, and 2 others.**

.....RESPONDENTS

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THE HON'BLE SRI JUSTICE P.S.NARAYANA

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Writ Petition No.15689 of 2006

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ORDER:

This Writ Petition is filed seeking a Writ of Mandamus declaring the action of the third respondent in rejecting the nominations of the petitioners for the posts of Ward members as illegal, arbitrary and colorable exercise of powers and

consequently direct the third respondent to receive the nominations of the petitioners and permit them to contest in the ensuing Gram Panchayat Election, 2006, for Viruvuru Gram Panchayat, Podalakuiru Mandal, Nellore District.

The petitioners submitted their nominations to contest in Gram Panchayat Elections, 2006, for the posts of ward members. Their grievance is that their nominations were rejected enbloc on the ground that they had not signed the declaration forms. Therefore, it is contended that such rejection enbloc is wholly unsustainable.

Heard learned Counsel for the parties.

Prima facie, this Court is of the considered opinion that such enbloc rejection cannot be sustainable. However, at this stage, this Court is not inclined to interfere with the same as the petitioners are having an efficacious alternative remedy by way of election petition. Liberty is given to the petitioners to approach the Election Tribunal, if they are so advised.

With the above observation, the Writ Petition is disposed of. No costs.

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31st

July, 2006

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