

THE HONOURABLE SRI JUSTICE P.S.NARAYANA

W.P.NO. 14784 OF 2006

Dated: 31-07-2006

Between:

Kurapati Srinivasarao

Petitioner

And

The State Election Commission, by its Secretary, Hyderabad and
Others.

Respondents

THE HONOURABLE SRI JUSTICE P.S.NARAYANA

W.P.NO. 14784 OF 2006

ORDER:

1. Heard the counsel .
2. The writ petition is filed for a Writ of Mandamus, declaring the action of the respondents not shifting the polling booth No. 30 in Ikkurru Gramapanchayat to in any convenient place is illegal, arbitrary and violative of principles of natural justice and pass such other suitable orders.
3. Sri M.V.Prabhakar Rao, learned standing counsel had placed before this court ROC.No.999/2006-G4 dated 19-7-2006 wherein it was stated as hereunder:

“ In obedience to the instructions issued in the reference cited, I submit to inform that the information has been obtained from M.P.D.O. Narasaraopet as regards to setting up of polling stations at Ikkurru Panchayat. As stated by the M.P.D.O., the fact is that the S.C. voters in the 3rd Ward are above 1/3rd of the total No. of voters and therefore, as stipulated by State Election Commission vide their guidelines issued in Circular Number 348/SEC-B2/2006 dated 25-4-2006 , this particular Ward was set up at S.C.Locality that too, after an objection is received from the S.C.Community and also from other section of people i.e. Sarpanch, who belonged to B.C.Community. Moreover, the polling Station now proposed is very nearer than the building sought by the petitioner. In the larger interest of S.Cs and other communities, the polling station is set up at M.P.Elementary School in S.C.Colony, and also to state that for the sake of a single petitioner, the interest of large number of Voters may not be deprived of.”

4. Sri Prabhakar Rao states that in view of the guidelines issued by

the State Election Commission only, the said guidelines had been followed. However, the learned counsel representing the petitioner would submit that there is a law and order problem and apart from this, some criminal cases already had been registered. In view of the same, the petitioner is given liberty to approach the Superintendent of Police, Guntur in the event of requiring any additional Police security to have free and fair poll during election.

5. With the above observation, the writ petition is disposed of . No order as to costs.

31-07-2006

Note: C.C. tomorrow
B/o.
Stp