

**IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI**

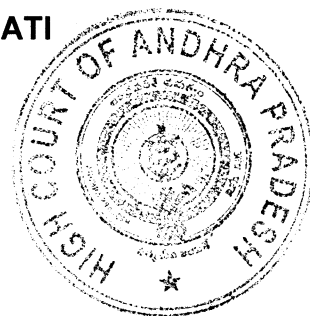
SATURDAY, THE TWENTIETH DAY OF FEBRUARY,

TWO THOUSAND AND TWENTY ONE

**:PRESENT:**

**THE HON'BLE SRI JUSTICE JOYMALYA BAGCHI**

**WRIT PETITION NO: 4312 OF 2021**



**Between:**

Badi Sudhakar, S/o. B. Ramakrishnaiah, Age 39 years, Occ Business,  
R/o. D.No. 1-141, Pudipatla Village, Tirupati Rural Mandal, Chittoor District.

**Petitioner**

**AND**

1. State of Andhra Pradesh, Represented by its Principal Secretary, Panchayat raj Department, Secretariat, Velagapudi.
2. Andhra Pradesh State Election Commission, Vijayawada, Rep. by its Commissioner.
3. The District Collector & District Election Authority, Chittoor District, Chittoor.
4. The Returning Officer, Pudipatla Gram Panchayat, Tirupati Rural Mandal, Chittoor 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 or order or direction one in the nature of Writ of Mandamus declaring the action of respondents in making changes to the final voters list prepared for 2019 Assembly elections and deleting the voters from the same violating the procedure prescribed under relevant Rules and the Act as illegal high handed and violative of Articles 14, 21, 243K of the Constitution of India and Sec. 201 of A.P. Panchayat Raj Act, 1994 and A.P. Panchayat Raj (Preparation and Publication of Electoral Rolls) Rules, 2000 consequently direct the respondents to conduct the elections as per the voters list published under the Act

**IA NO: 1 OF 2021**

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 restrain the respondents to make changes to the voters list (prepared for 2019 Assembly elections) prepared for Pudipatla Gram Panchayat

**Counsel for the Petitioner: SRI PASALA PONNA RAO**

**Counsel for the Respondent Nos.1,3&4 : GP FOR PANCHAYAT RAJ AND RURAL DEV.**

**Counsel for the Respondent No.2 : SRI N. ASHWINI KUMAR**

**The Court made the following ORDER:-**

**THE HON'BLE SRI JUSTICE JOYMALYA BAGCHI**

**WRIT PETITION No.4312 of 2021**  
**(Taken up through video conferencing)**

**ORDER:-**

“Petitioner is a contestant to the post of Sarpanch in the Pudipatla Gram Panchayat. Relying on news paper publication, petitioner has rushed to this Court apprehending wrongful deletion of names of eligible voters from the Electoral Rolls at the behest of the 2nd respondent – Election Commission.

Mr. N.Ashwini Kumar, learned standing counsel for the 2nd respondent - Election Commission submits the apprehension of the petitioner is misconceived and not founded on credible materials. He further submits that there is no clear averment in the writ petition with regard to the identity of individuals whose names have been illegally deleted and the petition is not maintainable on the strength of unconfirmed news paper reports.

I have considered the materials on record. The petitioner has not furnished before this Court any concrete or reliable materials with regard to the identity of an eligible voter whose name has been illegally deleted by the 2nd respondent – Election Commission or its Officers. A writ petition based on vague surmises or conjectures is not maintainable. Hence, I do not wish to pass any order on the writ petition, more so, as the learned counsel for the Commission assures this Court that all eligible voters whose names appear in the electoral rolls as corrected as on 07.03.2020 shall be permitted to exercise their franchise if they comply with necessary formalities and in accordance with law.

With these observations, the writ petition is disposed of. No order as to costs.

As a sequel, Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.”

**//TRUE COPY//**

**ASSISTANT REGISTRAR**



**SECTION OFFICER**

**To,**

1. The Principal Secretary, Panchayat raj Department, State of A.P, Secretariat, Velagapudi. (by RPAD)
2. The Commissioner, A.P. State Election Commission, Vijayawada, (by RPAD)
3. The District Collector & District Election Authority, Chittoor District, Chittoor. (by RPAD)
4. The Returning Officer, Pudipatla Gram Panchayat, Tirupati Rural Mandal, Chittoor District. (by RPAD)
5. One CC to SRI PASALA PONNA RAO Advocate [OPUC]
6. Two CCs to GP for Panchayat Raj Rural Dev, High Court Of AP. [OUT]
7. One CC to SRI N. ASHWINI KUMAR, SC FOR STATE ELECTION COMMISSION [OPUC]
8. Two CD Copies

**MSR**

**HIGH COURT**

**DATED:20/02/2021**

**ORDER**

**WP.No.4312 of 2021**



**DISPOSING OF THE WP.**

**WITHOUT COSTS**