

ITEM NO.10 Court 4 (Video Conferencing) SECTION X

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Writ Petition(s)(Civil) No(s).944/2021

JALAGAM VENKAT RAO Petitioner(s)

VERSUS

HIGH COURT FOR THE STATE OF TELANGANA & ORS. Respondent(s)

(FOR ADMISSION)

Date : 08-11-2021 This petition was called on for hearing today.

CORAM :

HON'BLE DR. JUSTICE D.Y. CHANDRACHUD
HON'BLE MR. JUSTICE A.S. BOPANNA

For Petitioner(s) Mr. Byrapaneni Suyodhan, Adv.
Ms. Tatini Basu, AOR

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E R

- 1 Invoking the jurisdiction of this Court under Article 32 of the Constitution, the petitioner has sought a direction to the High Court of Telangana for expeditious disposal of Election Petition No 31 of 2019. The dispute relates to the election which took place in December 2018 for the 117-Kothagudem Assembly Constituency. The petitioner has instituted an Election Petition to challenge the election of the second respondent.
- 2 The grievance is that though a period of nearly three years has elapsed out of the term of the Legislative Assembly, the petition has not been taken up and while even today the petition is shown on board at Serial No 151 before the Single Judge, it is unlikely to be called for hearing. Mr Byrapaneni Suyodhan, counsel appearing on behalf of the petitioner, submits that issues have not

been framed and the delay would defeat the provisions of Section 86 of the Representation of the People Act 1951.

- 3 In our view, the appropriate course of action would be to permit the petitioner to move the Chief Justice of the High Court of Telangana on the administrative side so that appropriate directions can be issued to ensure that the Election Petition is heard and disposed of finally at an early date having regard to the intent and purpose of Section 86 of the Representation of the People Act 1951. This is also the position of law which has been enunciated in several decisions of this Court, including **Pukhrem Saratchandra Singh v Mairembam Prithviraj**¹. We accordingly permit the petitioner to move the Chief Justice of the High Court of Telangana for suitable administrative directions, as noted above.
- 4 The Writ Petition is accordingly disposed of.

(SANJAY KUMAR-I)
AR-CUM-PS

(SAROJ KUMARI GAUR)
COURT MASTER