



**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT  
JODHPUR**

D.B. Civil Writ Petition No. 7769/2021

Sant Vaidehi Balabh Dev Acharyaji Maharaj, Chela Shri Krishna Dasji Maharaj, Aged 41 Years, R/o Bheed Bhanjan Balaji Temple And Ashram, Masuriya Hill, Jodhpur.

-----Petitioner

Versus



1. State Of Rajasthan, Through Chief Secretary, Government Of Rajasthan, Jaipur.
2. Election Commission Of India, Through Its Commissioner/ Secretary, Nirvachan Sadan, New Delhi.
3. Chief Election Officer, Election Commission, Rajasthan, Jaipur.

-----Respondents

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For Petitioner(s) : Mr. Moti Singh  
For Respondent(s) : Mr. Sudhir Tak, AAG with  
Mr. Saransh Vij  
Mr. Umashankar Dhaka for  
Mr. Hanuman Singh

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**HON'BLE THE CHIEF JUSTICE MR. PANKAJ MITHAL  
HON'BLE MR. JUSTICE SANDEEP MEHTA**

**Order**

**18/10/2022**

Heard learned counsel for the parties.

The petitioner, in public interest, has preferred this petition seeking general directions to all the political parties and the candidates who contest elections not to use caste, religion etc. for the purposes of election and that they may be restrained from visiting religious places such as Temples, Mosques, Church, Ashram, Math and other places of worship during the election campaign after the elections are notified.

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The petitioner in this connection had previously filed D.B.C.W.P. No. 16064/2018 [Sant Vaidehi Balabh Dev Acharyaji Maharaj Vs. State of Rajasthan and Ors.]. In the said writ petition also the petitioner has sought general directions to the same effect that all political parties and the candidates who contest the election can only use their names and identity according to the registration in the Electoral Roll or the nomination form but the surname and the caste of the candidates should not be published during the election campaign and the candidates and leaders of the political parties may be restrained from visiting the religious places during election campaign.

The said writ petition was dismissed by this Court in limine vide judgment and order dated 23.10.2018 observing that seeking vote in the name of religion, caste, community, language etc. is statutorily prohibited and, therefore, no general directions in this regard are required. However, it was left open for the aggrieved persons that if any grievance exists in this regard, it may be appropriately dealt with by the Election Commission in accordance with law.

The petitioner in pursuance of the above order is said to have submitted some representation to the Election Commission but with no result.

In view of the aforesaid facts and circumstances, it is crystal clear that the present writ petition is nothing but virtual repetition of the earlier writ petition and the reliefs claimed are virtually the same.

It is settled law that successive writ petitions for the same cause of action are not maintainable and that filing of second writ petition for the same purpose is an abuse of the process of law.



In view of the above, we are not inclined to exercise our discretionary jurisdiction in this writ petition and dismiss the writ petition with the directions to the Chief Election Commissioner of India to objectively consider and pass appropriate order on the representation of the petitioner, if any, made in this connection earlier.



(SANDEEP MEHTA),J

(PANKAJ MITHAL),CJ



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