

**HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

**FRIDAY ,THE TWENTY SIXTH DAY OF APRIL
TWO THOUSAND AND TWENTY FOUR**

PRESENT

THE HONOURABLE SRI JUSTICE K. SARATH

I.A.No.1 OF 2024

IN

ELECTION PETITION NO: 12 OF 2024

Between:

The Election Commission of India, Nirvachan Sadan, Ashoka Road, New Delhi-110001, represented by the Additional Chief Electoral Officer, Telangana, Mr. Lokesh Kumar.

...Petitioner/Respondent No.1

AND

1. Johnson Naik Bhukya, S/o. Samuel Naik Bhukya, Aged about 47 Years, R/o. H.No.16-48/3, Gandhi Nagar, Khanapur, Telangana.
...Respondent/Election Petitioner
2. The State Election Commission, Rep. by its Chief Electoral Officer, B.R.K.R. Bhavan, Hyderabad.
3. The District Election Officer / District Collector, Nirmal District, Telangana
4. The Returning Officer, Revenue Divisional Officer (Revenue), Utnoor, 06 Khanapur Assembly Constituency, Nirmal District, Telangana State.
5. Vedma Bhojju, S/o Vedma Bheemrao, Age: 37 Years, R/o. H.No. 1-15, Kallurguda Vg of Ghanpur Gp, Utnoor Mandal, Adilabad District
6. Bansilal Rathod, S/o Venkataram, Age: 37 Years, R/o. H.No. 4-359/3/B-1, Sundaraiah Colony, Ponkal, Jannaram, Adilabad District
7. Ramesh Rathod, S/o. Rathod Mohan, Age: 57 Years, R/o. H.No. 2-88, Sevadas Nagar, Utnoor Mandal, Adilabad District
8. Asha Reddy Bontha, S/o. Potha Lingu, Age: 55 Years, R/o H.No. 5-108, Hanman Nagar, Utnoor, Adilabad District
9. Kuthati Vijaya, W/o. Sigasarapu Yadaiah, Aged About 44 Years, R/o H.No. 3-6-587, Gagan Mahal, Himayath Nagar, Hyderabad
10. Jadhav Prabas, S/o. Ramarao, Aged About 33 Years, R/o H.No. 10-27, Venu Nagar, Lakkaram, Utnoor Mandal, Adilabad District
11. Pendoor Priyanka, W/o. Pendoor Jangu, Aged About 33 Years, R/o H.No. 3-122 Ramnagar, Birsaijet, Utnoor Mandal, Adilabad District.
12. Athram Ravindhar, S/o. Athram Malku, Aged About 41 Years, R/o. H.No 2-121, ST Colony, Chinna Bellal, Kaddam
13. Nethavath Rajender, S/o. Nethavath Ramdas, Aged About. 32 Years, R/o H.No. 14-50/6, Old Utnoor, Utnoor Mandal, Adilabad District.

14. Mohan, S/o. Jemla Rathod, Aged About 63 Years, R/o. H.No.5-44, Sakera Jemlathanda Utnoor Mandal, Adilabad District

...Respondents/ Respondents

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 permit the release of EVMs and VVPATs used for 006- Khanapur Assembly Constituency (ST) in the 2023 Assembly Elections in the State of Telangana from the Godown/strong room for their use in future elections including the Lok Sabha Elections, 2024.

**Counsel for the Petitioner : Sri Mohammed Omer Farooq,
SC for Election Commission of India**

Counsel for the Respondent No.1 : Sri N. Anirudh

Counsel for Respondent Nos. 2 to 14 : ---

The Court made the following: ORDER

Heard.

For the reasons explained in the accompanying affidavit filed in support of the petition, since the retaining of EVMs does not serve any purpose and considering the fact that the EVMs are required for forthcoming elections, the I.A. is ordered as prayed for.

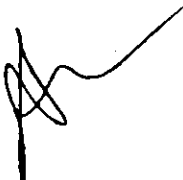
**Sd/- B.S.CHIRANJEEVI
JOINT REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To,

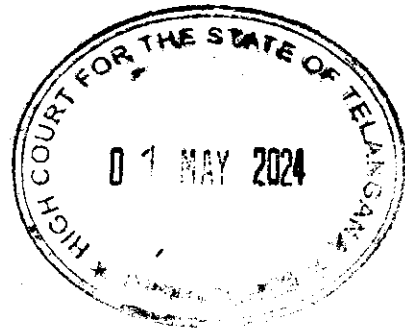
1. Mr. Lokesh Kumar, Additional Chief Electoral Officer, State Election Commission, BRKR Bhavan, Hyderabad.
2. The Secretary, Telangana State Legislative Assembly, Legislative Assembly Building, Nampally, Hyderabad.
3. The Returning Officer, Revenue Divisional Officer (Revenue), Utnoor, 06 Khanapur Assembly Constituency, Nirmal District, Telangana State.
4. The Section Officer, O.S. Section, High Court for the State of Telangana at Hyderabad.
5. One CC to Sri N. Anirudh, Advocate [OPUC]
6. One CC to Sri Mohammed Omer Farooq, SC for Election Commission of India, Advocate [OPUC]
7. Two CD Copies
NJB



HIGH COURT

DATED:26/04/2024

POST ON 28.06.2024



ORDER

I.A.No.1 of 2024

In

EP.No.12 of 2024

ORDERING THE I.A

9
HMA
01/5/2024