

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

FRIDAY, THE TWENTIETH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY SIX

**PRESENT
THE HONOURABLE SRI JUSTICE K. SARATH**

ELECTION PETITION NO: 12 OF 2024

**In the matter of Election of Member of Legislative Assembly 006-Khanapur
Assembly Constituency, Nirmal District.**

Between:

Johnson Naik Bhukya, S/o Samuel Nail. Bhukya Aged about 47 Years, R/o.
H. No.16-48/3, Gandhi Nagar, Khanapur, Telangana ...**PETITIONER**

AND

1. The Election Commission of India,, Rep. by its Chief Commissioner,
Nirvachan Sadan, Ashoka Road, New Delhi 110001

(Respondent No.01 is struck off from the array of Respondents as per Court
order Dt.26/07/2024 vide IA No.3/24 in EP No.12/2024)
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

(Respondent No.03 is struck off from the array of Respondents as per Court
order Dt.26/07/2024 vide IA No.4/24 in EP No.12/2024)
4. The Returning Officer / Revenue Divisional Officer (Revenue), Utnoor, 06
Khanapur Assembly Constituency, Nirmal District, Telangana State.

(Respondent No.04 is struck off from the Array of Respondents as per Court
order Dtd.20/12/2024 vide IA No.2/24 in EP No.12/2024)
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

The Election Petition is dismissed as abated against Respondent No.7 as per
court order Dt.26/07/24 (vide Memo filed USR No.64893/24 in EP No.12/24)

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 Frabas, 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, Birsaiet, 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**

Election Petition Under Sections 11 (A), 33, 33A, 34, 80, 80A, 81, 83, 84, 100 (1) (a) (b) and (d) & 101, 123, 125 (a) of Representation of Peoples Act, 1951 and the Rules made thereunder read with Rules to Regulate the Trial of Election Petitions under the R.P. Act issued by the High Court of Telangana at Hyderabad praying that this Hon'ble Court may be pleased to:

- 1) set aside the letter vide Lr. No. H/334/2023 issued by the returning officer, Utnoor division, dated. 13/11/2023.
- 2) declare the election of the 5th respondent elected from 006-Khanapur Assembly constituency (ST) on 03/12/2023 by the returning officer as void and set aside the same;
- 3) declare that the petitioner as elected candidate from 006- Khanapur Assembly constituency (ST)
- 4) award the cost of this election petition from the 5th respondent.

Counsel for the Petitioner: SRI J. PRABHAKAR, SENIOR COUNSEL FOR SRI. ANIRUDH NELLIKONDA @ N. ANIRUDH

Counsel for the Respondent No. 5 : SRI C. RAGHU, SENIOR COUNSEL FOR SRI R. GIRI KUMAR

Counsel for the Respondent Nos.2, 6, 8 to 14 : NONE APPEARED

The Court made the following ORDER:

Heard Sri J. Prabhakar, learned Senior Counsel appearing for Sri Anirudh Nellikonda, learned counsel for petitioner/election petitioner and Sri C. Raghu, learned Senior Counsel appearing for Sri R. Giri Kumar, learned counsel for the respondent No.5 in the election petition and perused the material on record. There is no representation for other respondents.

In this matter, the issues were framed on 25-07-2025.

The learned counsel for the Election Petitioner filed list of witnesses *vide* E.P.U.S.R.No. 81143 of 2025 and the learned counsel for the respondent No. 5 filed list of witnesses *vide* E.P.U.S.R.No. 20802 of 2026.

In exercise of the power vested under Rule 11-A of the Rules to regulate the Trial of Election Petitions under the Representation of People Act, 1951, this Court deems it necessary to appoint a Commissioner to examine parties and witnesses. Learned Senior Counsel appearing for the petitioner Sri J. Prabhakar and learned Senior Counsel appearing for Respondent No. 5 Sri C. Raghu, agreed to entrust to a Commissioner for this purpose. In view thereof, the following orders are passed.

1. Dr. T. Raghuram, District Judge (Retired) is appointed as Commissioner to examine witness as on behalf of petitioner and respondents and to examine the parties.
2. The Commissioner is directed to complete the examination of witnesses and parties as expeditiously as possible by fixing the schedule of recording of evidence in advance.
3. Learned counsel appearing for parties are directed to cooperate with the Commissioner for early conclusion of examination of witnesses and parties.
4. The Registrar Judicial -1 shall prepare index of the case record.
5. The Registrar (Judicial-I) is directed to make arrangements for sitting of Commissioner and also make available the record of Election Petition No. 12 of 2024. He shall designate an Officer who shall assist the Commissioner in dealing with the record when recording of evidence takes place. He shall also provide Secretarial Assistance to the Commissioner.
6. The Commissioner is entitled to fee of ₹ 20,000/- (Rupees twenty thousand only) per effective sitting and ₹ 5,000/- (Rupees five thousand only) per non-effective sitting. Effective sitting means when evidence is recorded. Non effective sitting means on the hearing date, parties appear/do not appear and case is adjourned without recording evidence. The petitioner and fifth respondent shall bear the Commissioner fee equally.

7. The Petitioner and the fifth respondent shall deposit ₹ 75,000/- (Rupees seventy five thousand only) each with the Registrar Judicial - I within one week from the date of receipt of copy of this order.
8. The Registrar Judicial - I shall make available the record of Election Petition for verification by learned counsel for petitioner and learned counsel for respondent No.5 in the presence of Joint Registrar/Deputy Registrar as authorized by the Registrar Judicial -I. Such verification shall be completed before the commencement of recording of evidence.
9. The Registrar Judicial - I is directed to communicate a copy of this order to Dr. T. Raghuram District Judge (Retired).

Post this matter after eight (8) weeks.

List on 24-04-2026.

Sd/-A.V.S.S.C.S.M.SARMA,
JOINT REGISTRAR

// TRUE COPY//

SECTION OFFICER

To

1. Dr. T. Raghuram, Retired Prl. District Judge , R/o. H.No. 1-11-242/1, Kishan Residency, 4th Floor, Shyamlal Buildings, Near Metro Pillar No. 1365, Begumpet, Hyderabad. (By Special Messenger)
2. The Registrar Judicial – I , High Court for the State of Telangana at Hyderabad.
3. The Section Officer , O.S. Section, High Court for the State of Telangana at Hyderabad.
4. The Chief Commissioner, The Election Commission of India, Nirvachan Sadan, Ashoka Road, New Delhi 110001.
5. The Chief Electoral Officer, The State Election Commission, B.R.K.R. Bhavan, Hyderabad.
6. The District Election Officer / District Collector, Nirmal District, Telangana
7. One CC to SRI. N. ANIRUDH, Advocate [OPUC]
8. One CC to Sri R. GIRI KUMAR, Advocate (OPUC)
9. One CC to SRI. MOHAMMED OMER FAROOQ., Standing Counsel for Election Commission of India [OPUC]
10. Two CD Copies

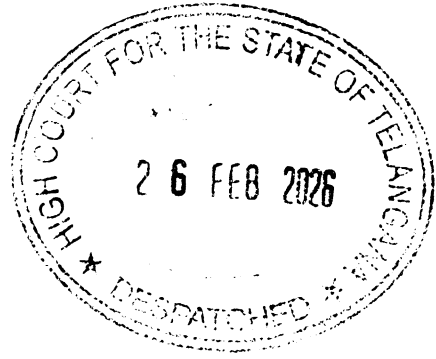
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HIGH COURT

DATED:20/02/2026

NOTE:

List one 24-04-2026.



ORDER

ELECTION PETITION No.12 of 2024

DIRECTION

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