

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.8821 of 2017

ORDER:

Heard the learned Counsel for the petitioners, learned Counsel for the second respondent and the learned Government Pleader appearing for the sixth respondent.

The petitioners state that they are the elected representatives of several local authorities in SPSR Nellore District. Respondent Nos.1 and 2 issued a notification on 21.02.2017 notifying the Biennial Elections to the Andhra Pradesh Legislative Council Constituencies from local authorities constituencies in the State of Andhra Pradesh, including Nellore Local Authorities Constituencies and the petitioners are supporting one Anam Vijay Kumar Reddy, who is contesting as a candidate. It is their further case that since they belong to one particular political party, the people belonging to other political party are not allowing them to exercise their franchise in the said elections. It is also their allegation that the rival political party leaders are threatening them, and the first petitioner was implicated in a criminal case and this Court, by order dated 09.03.2017, in Writ Petition No.8220 of 2017 directed the respondents therein not to arrest the petitioners therein without obtaining appropriate orders from the concerned Magistrate. The petitioners filed the present Writ Petition apprehending that they would not be allowed to

exercise their franchise in the said elections and sought necessary directions.

In view of the relief sought in the present Writ Petition and in view of the submission made by the learned Counsel appearing for the petitioners that the petitioners would be appearing before the Superintendent of Police in his office on the date of election i.e., on 17.03.2017, the sixth respondent shall ensure their safe passage from his office to the polling booth in order to exercise their franchise in a free manner.

The Writ Petition is, accordingly, disposed of. At this stage, learned Government Pleader pointed out that the first petitioner is prime accused in election related cases, and the petitioners may themselves create law and order problem. In the circumstances, it is needless to observe that the sixth respondent shall take adequate measures for fair exercise of franchise. The miscellaneous petitions pending in this Writ Petition, if any, shall stand closed. There shall be no order as to costs.

(A.RAMALINGESWARA RAO, J)

14.03.2017

Note: Issue C.C by tomorrow.

B/o.

vs