APHC010540702026

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI **[3458]**
(Special Original Jurisdiction)

MONDAY, THE 2nd DAY OF NOVEMBER 2026

PRESENT

THE HONOURABLE SMT JUSTICE KIRANMAYEE MANDAVA

WRIT PETITION NO: 29568 OF 2026

Between:

1. SIRIGHIRI GOPAL REDDY, , S/O KONDAIAH, AGE 51 YEARS, OCC AGRICULTURE RIO. H.NO.2-88, MALAPADU VILAGE, PONNALURU MANDAL, PRAKASAM DISTRICT -523109.

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY TO GOVERNMENT, PANCHAYAT RAJ DEPARTMENT, SECRETARIAT, VELAGAPUDI, AMARAVATHI, GUNTUR DISTRICT-522238.
2. THE COMMISSIONER, PANCHAYAT RAJ AND RURAL DEVELOPMENT DEPARTMENT, TADEPALLI, GUNTUR DISTARICT -522501.
3. THE JOINT DIRECTOR, , A.P.STATE ELECTION COMMISSION, 1ST FLOOR, NEW HODS BUILDING, OPP INDIRA GANDHI MUNICIPAL STADIUM, MG. ROAD, VIJAYAWADA -520010.
4. THE DISTRICT COLLECTOR, , PRAKASAM DISTRICT AT ONGOLE-523001.
5. THE DISTRICT PANCHAYAT OFFICER, PRAKASAM DISTRICT AT ONGOLE-523001.
6. THE CHIEF EXECUTIVE OFFICER ZILLA PRAJA PARISHAD, PRAKASAM DISTRICT AT ONGOLE-523001.
7. THE MNADAL PARISHAD DEVELOPMENT OFFICER, PONNALURU

MANDAL, PRAKASAM DISTRICT-523109.

8. THE PANCHAYAT SECRETARY, , MALAPADU VILLAGE, PONNALURU MANDAL, PRAKASAM DISTRICT-523109

...RESPONDENT(S):

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased toissue a writ, order or direction, more particularly one in the nature of Writ of Mandamus, declaring the proposals of Annexure-1, dt.29.08.2026 of the respondents No.7 and 8 in shifting the Polling Booth No.78 of effected voters of Lingamgunta from M.P.P. School, Lingamgunta to KGBV School, Malapadu, Polling Booth No.7 without proper consideration of the petitioner representations dt.28.09.2026 and 05.10.2026 and accessibility difficulties is illegal, arbitrary, unjust and consequently direct the respondents No.2 and 4 to conduct the elections at Polling Booth No.78, M.P.P. School, Lingamgunta by considering the representations of the petitioner dt.28.09.2026 and 05.10.2026 as per the Lr.No.603/SEC-B2/2026, dt.22.09.2026 of the 3rd respondent

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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 direct the respondents No.2 and 4 to conduct the elections at Polling Booth No.78, M.P.P. School, Lingamgunta by considering the representations dt.28.09.2026 and 05.10.2026 of the petitioner as per the Lr.No.603/SEC B2/2026, dt.22.09.2026 of the 3rd respondent pending disposal of the writ petition

Counsel for the Petitioner:

1. G SRINIVASULA REDDY

Counsel for the Respondent(S):

1. GP FOR PANCHAYAT RAJ RURAL DEV
2. SASANKA BHUVANAGIRI (SC FOR NON SERVICES ZPPS MPPS GP FOR RAYALASEEMA SPSR NELLORE PRAKASAM)
3. N ASHWANI KUMAR
4. GP FOR REVENUE

The Court made the following order:

Heard Sri G.Srinivasula Reddy, learned counsel for the petitioner, learned Assistant Government Pleader for Panchayat Raj and Rural Development, Sri Sasanka Bhuvanagiri, learned Standing Counsel for ZPPS & MPPS and Sri N.Ashwani Kumar, learned Standing Counsel for State Election Commission appearing for the respondents.

2. The grievance of the petitioner in the instant Writ Petition is against the action of the respondents in shifting the Polling Booth No.78 of Lingamgunta from M.P.P. School, Lingamgunta to KGBV School, Malapadu, Polling Booth No.7 without considering the representations dated 28.09.2026 and 05.10.2026 of the petitioner and consequently sought a direction to respondents No.2 and 4 to conduct the elections at Polling Booth No.78, M.P.P. School, Lingamgunta by considering the representations dated 28.09.2026 and 05.10.2026 of the petitioner.

3. The petitioner contends that the distance between the village and the proposed Polling Booth No.7 at KGBV School, Malapadu, is around 3 kilometers. Objecting to the proposed location of the polling booth, the petitioner submitted representations dated 28.09.2026 and 05.10.2026. However, without considering the said representations, the authorities proceeded to issue the notification and finalized the proposals identifying Polling Booth No.7.

4. Today, when the matter is taken up for consideration, learned Standing Counsel for the 7th respondent has placed before the Court a copy of the written instructions dated 09.10.2026 received from the 7th respondent. The same is taken on record. A perusal of the same reflects as follows:

> *"3. M.P.P. School, Lingamgunta, which the petitioner wants restored as the polling station, has been demolished, and new construction is under way. The building is not in a condition to be used as a polling station. There are no adequate facilities for the electors, for the polling personnel, or for the elderly and persons with disability. A station cannot be located in a building which is under construction. This is the reason the old station was not continued. The petitioner has not disclosed the demolition, or the ongoing construction, in the writ affidavit. Photographs of the demolished structure and of the construction in progress will be enclosed with the counter.*
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> *……*
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> *5. In the list dated 29.08.2026 (Annexure-1), Stations 1 to 6 are at M.P.U.P. School, Malapadu (south rooms 1 to 6; voter serials 1 to 1182) and Stations 7 to 10 are at KGBV School, Malapadu (voter serials 1183 to 1979). Total electors are 1,979. There are 10 stations, about 197 electors each. Column 10 of that list records the distance to be covered to reach the station as 2 kilometres. Any other sheet placing Stations 7 to 10 at M.P.P. School, Lingamgunta is not the list signed and sent up by this respondent on 29.08.2026, and is not the arrangement*

approved on final publication. That building, in any event, is no longer available.

6. The decision is in accordance with the State Election Commission guidelines for setting up of polling stations:

(a) The stations of a Gram Panchayat are to be located, as far as possible, in the minimum number of suitable buildings having sufficient space. M.P.U.P. School, Malapadu has been used for six stations. M.P.P. School, Lingamgunta cannot be used, the old building having been demolished and the new construction not being complete. KGBV School, Malapadu is the available second building, within the same Gram Panchayat, and has been used for the remaining four stations. The guideline does not require a station in a habitation whose school building is under construction.

(b) The mandatory location of a station in an SC/ST locality applies only if the SC and ST voters of that ward exceed one-third of the voters of that ward. The petitioner has produced no ward-wise figures. The polling-area column of Stations 7 to 10 does not attract that clause. BC voters are not covered by it. The petitioner's case is one of distance, not of a denied SC/ST station.

(c) No elector is to be required to travel more than 2 kilometres. This respondent has recorded, in Column 10 of Annexure-1 dated 29.08.2026, that the distance for Stations 7 to 10 is 2 kilometres. KGBV School is equidistant from all the hamlets. The petitioner's assertion of 3 to 4 kilometres is not supported by any sketch, village

map o certificate, and is contrary to the entry in the list he himself has filed.

7. The State Election Commission issued the circular on 12.08.2026. Draft lists were published by the MPDOs on 23.08.2026. Claims and objections were received up to 26.08.2026. The list of this respondent is dated 29.08.2026. The final lists were approved and published on 31.08.2026. The Commission has since stated that 1,36,326 polling stations stand finalised for the Gram Panchayat elections. The petitioner's first representation is dated 18.09.2026, after the objection window had closed and after final publication. No objection by him within 23.08.2026 to 26.08.2026 is on record. A representation made three weeks after finalisation cannot reopen a list settled for the entire State."

5. Having regard to the submissions made on behalf of the respondents, this Court is of the considered view that the respondents have taken a decision after following the procedure prescribed under law. In view of the subsequent finalization of the polling booth numbers, the grievance raised by the petitioner would not merit consideration in the present writ petition.

6. The learned counsel for the petitioner makes a request to grant liberty to the petitioner to raise the issue in connection with the ensuing Gram Panchayat elections. In the said regard, the petitioner is at liberty to submit a representation to the 4th respondent. If any such representation is filed, the 4th respondent is directed to consider the same and pass appropriate orders in accordance with law.

7. Needless to mention, in view of the likelihood of issuance of the notification for the ensuing Gram Panchayat elections shortly, the petitioner shall submit such representation by tomorrow itself. Upon receipt of the same, the 4th respondent is directed to consider the representation and pass appropriate orders in accordance with law, before the conduct of the ensuing Gram Panchayat elections.

8. Accordingly, the Writ Petition is disposed of. There shall be no order as to costs.

As a sequel, miscellaneous petitions pending, if any, shall stand closed.

JUSTICE KIRANMAYEE MANDAVA

Dated: 02.11.2026
BSK

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THE HONOURABLE SMT JUSTICE KIRANMAYEE MANDAVA

WRIT PETITION NO: 29568 OF 2026

Dated: 02.11.2026
BSK