APHC010549862026

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI [3333]
(Special Original Jurisdiction)

FRIDAY, THE 16th DAY OF OCTOBER 2026

PRESENT

THE HONOURABLE SMT JUSTICE V.SUJATHA

WRIT PETITION NO: 30031/2026

Between:

1. YUVAJANA SRAMIKA RYTHU CONGRESS PARTY (YSRCP), A RECOGNIZED POLITICAL PARTY, HAVING OFFICE AT 47, BHARATHA MATHA ROAD, TADEPALLI, GUNTUR DISTRICT - 522501. REP BY STATE GENERAL SECRETARY LEILA APPI REDDY S/O LEILA SAMBI REDDY AGED ABOUT 59 YEARS R/O FLAT NO 203 GOLDEN TOWERS, KRISHNA NAGAR, MAIN ROAD, OPP. JUTE MILL KRISHNA NAGAR, GUNTUR DISTRICT, ANDHRA PRADESH - 522006.

2. LELLA APPI REDDY, S/O LELLA SAMBI REDDY, AGED ABOUT 59 YEARS OCC STATE GENERAL SECRETARY OF (YSRCP), R/O. FLAT NO 203, GOLDEN TOWERS, KRISHNA NAGAR MAIN ROAD OPP. JUTE MILL KRISHNA NAGAR GUNTUR DISTRICT, ANDHRA PRADESH - 522006.

...PETITIONER(S)

AND

1. THE ANDHRA PRADESH STATE ELECTION COMMISSION, REP BY ITS SECRETARY, VIJAYAWADA, ANDHRA PRADESH - 520010.

2. THE UNION OF INDIA, REP. BY ITS SECRETARY, MINISTRY OF HOME AFFAIRS ROOM NO. 113, NORTH BLOCK NEW DELHI- 110001.

3. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY, HOME DEPARTMENT, SECRETARIAT, VELAGAPUDI, AMARAVATI, ANDHRA PRADESH - 522503.

4. THE DIRECTOR GENERAL OF POLICE, ANDHRA PRADESH, MANGALAGIRI, GUNTUR DISTRICT - 522503.

5. THE ELECTION COMMISSION OF INDIA, REP BY CHIEF ELECTION COMMISSIONER, NIRVACHAN SADAN, ASHOKA RD, PANDIT PANT MARG AREA, SANSAD MARG AREA, NEW DELHI, DELHI -110001.

6. THE CHIEF ELECTORAL OFFICER, ROOM NO.192, GROUND FLOOR, BUILDING NO.5, SECRETARIAT BUILDING, VELAGAPUDI, AMARAVATI, ANDHRA PRADESH - 522238

...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 topleased to issue a WRIT OF MANDAMUS, or any other appropriate Writ, Order or Direction A. Direct Respondents No. 1 and 2 to deploy adequate contingents of Central Armed Police Forces (CAPF) / Paramilitary Forces across all polling stations, counting centers, and vulnerable nomination hubs for the upcoming Local Body Elections in the State of Andhra Pradesh. B. Direct that the deployment and movement of Paramilitary Forces be governed directly by an Independent Judicial/Electoral Observer appointed by this Honble Court or the State Election Commission, free from the administrative interference of the State Police (Respondent No. 3 and 4). And Consequently direct the State Election Commission (Respondent No. 1) to install mandatory 24/7 webcasting, CCTV surveillance,

and micro-observers at all polling stations to guarantee transparent polling and pass

IA NO: 1 OF 2026

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 pleased to direct Respondent No. 1 (SEC) and Respondent No. 2 (Union of India) to immediately assess the sensitivity of state and submit a detailed requisition and deployment plan for Central Paramilitary Forces prior to the issuance of the final polling dates, Pending final disposal of this Writ Petition and pass

Counsel for the Petitioner(S):

1. Sudharsana Reddy J

Counsel for the Respondent(S):

1. GP FOR HOME
2. N ASHWANI KUMAR
3. GP FOR GENERAL ADMINISTRATION

The Court made the following:

ORDER:

1) The present Writ Petition came to be filed under Article 226 of the Constitution of India seeking the following relief:-

> "…. to issue a Writ of Mandamus or any other appropriate Writ, Order or Direction
>
> A) Direct Respondents No.1 and 2 to deploy adequate contingents of Central Armed Police Forces (CAPF)/Paramilitary Forces across all polling stations, counting centers, and vulnerable nomination hubs for the upcoming Local Body Elections in the State of Andhra Pradesh
>
> B) Direct that the deployment and movement of Paramilitary Forces be governed directly by an Independent Judicial/Electoral Observer appointed by this Hon'ble Court or the State Election Commission, free from the administrative interference of the State Police (Respondent No 3 and 4). and Consequently direct the State Election Commission (Respondent No.1) to install mandatory 24x7 webcasting, CCTV surveillance, and micro-observers at all polling stations to guarantee transparent polling and pass….."

2) The grievance of the petitioner is that over the past several months leading up to the election notification, numerous incidents of political intimidation, physical assaults on opposition candidates, destruction of election offices, and fraudulent tampering with voter lists have been recorded. In all these instances, local police officials have either actively colluded with perpetrators associated with the ruling party or refused to register FIRs when victims approached them. The incidents which have taken place and the ineffectiveness of the law enforcing agency would make it manifestly clear that the By-elections for local bodies will be conducted in Captive Eco system in the absence of adequate and effective security arrangements to the contesting candidates and the voters.

3) Sri Ponnavolu Sudhakara Reddy, learned Senior Counsel representing Sri J.Sudharshan Reddy, learned counsel for the petitioners, has brought to the notice of this Court two instances which took place at Punganur and Rayachoty; also filed photographs and as well as displayed Video graphs to establish the clashes that took place at the said places in which many people were injured. Learned Senior Counsel further contended that several vehicles were burnt in those clashes, and requested to deploy paramilitary forces all over the State for free and fair elections.

4) In support of his contentions, learned Senior Counsel relied on the Judgment of the High Court of Calcutta in "***Suvendu Adhikari and another Vs. State of West Bengal and others***[1]",

[1] 2023 SCC OnLine Cal 1496

wherein the Court disposed of the writ petition with the following directions:

> "In the result, this writ petition is disposed of by directing the State Election Commission to requisition the deployment of Central Forces for all Districts in the State of West Bengal and this direction shall be complied with by the State Election Commission within 48 hours from the date of the receipt of the server copy of this order. On receipt of the requisition the appropriate authority of the Central Government shall deploy the required number of Central Forces and the cost to be borne by the Central Government and no part of it to be charged to the Government of West Bengal. The State Election Commission shall issue a circular that all officers who have been assigned for election duty shall display their identity cards prominently and whenever any of the observers or any authority calls upon to prove their identity, they should readily and immediately produce their identity card and establish their identity. With the above observation the writ petition stands disposed of. No costs.

5) The said order was confirmed by the Hon'ble Apex Court in Special Leave Petition (c) No.12294 of 2023 and requested to pass similar order in this petition in view of the clashes that are taking places all over the State of Andhra Pradesh.

6) In reply, Sri Dammalapati Srinivas, learned Advocate General appearing for the State, has stated that the incident at Punganur referred by the learned counsel for the petitioner had happened today at 10.30 a.m. though the nomination time is 11.00 a.m. and the reason for the said incident is that the driver of the convey car of the elected member drove the same in a rash and negligent manner with high speed, caused injuries to several persons, because of the said incident clashes arose between two groups; and immediately after the said incident the concerned Superintendent of Police

rushed to the scene and brought it under control. In support of his contentions, he also displayed some video graphs regarding the said incident.

7) With regard to the incident that happened at Rayachoty, learned Advocate General stated that the incident took place at political place and not at the nomination place.

8) Having admitted the incidents that took place at Punganur and Rayachoty, learned Advocate General produced a copy of written instructions received from the Director General of Police, wherein it is stated that Police Department has undertaken a structured exercise for identifying sensitive and hypersensitive areas on the basis of previous incidents, local vulnerability assessments and current intelligence inputs. Preventive and enforcement measures have been initiated, and area-specific security arrangements are being formulated and implemented in accordance with the assessed threat levels and the requirements of the electoral process. The Police Department remains committed to ensuring that every eligible voter is able to exercise the franchise freely, without fear, coercion or intimidation, and that all candidates and political parties are afforded equal protection under law and that the Police Department shall act with complete impartiality, strictly in accordance with law and in coordination with the State Election Commission and the competent election authorities, to ensure the free, fair, peaceful and orderly conduct of elections.

9) Learned Senior Counsel appearing for the petitioners contended that similar instances as in Punganur and Rayachoty are taking place across the State of Andhra Pradesh and the deploying

police force would not be sufficient for free and fair elections, as the police are in hand in glow with the ruling party leaders and requested this Court to deploy paramilitary forces all over the State following the judgment of the High Court of Calcutta in "***Suvendu Adhikari and another Vs. State of West Bengal and others***" (referred supra).

10) It can be observed that the facts of the aforesaid judgment of the High Court of Calcutta are somewhat very serious as the order of deploying paramilitary forces was passed by the Court basing on the report of the enquiry committee constituted by the National Human Rights Commission, wherein it is stated that the situation in the State of West Bengal is manifestation of "Law of Ruler" instead of "Rule of Law". With regard to the nature of violence, it is stated that the spatio-temporal expanse of violent incidents in the State of West Bengal with little efforts of State machinery to prevent or control or rectify the same is actually a larger picture of organized violence by supporters of the ruling party in retribution against persons who desire to support the other major party which lost the recent Assembly Election in the State. It is further stated that while some organs or person of the State Government remained mute spectators, some others were apparently complicit. Further, the report states that most of the violent incidents included murder, rape, molestation, assault, vandalism, looting, dispensation, arson and extortion, threat and intimidation and pertinently they were neither sporadic nor random instead they targeted specific persons and that there are large gaps in the cases registered by the police as compared to the compliant received by the Committee of the NHRC. Further, the report states that the poor and common people

have lost faith in police, it is stated in the report that the spread of violence shows pernicious politico-bureaucratic-criminal nexus.

11) On perusal of the said Judgment, this Court is of the opinion that the facts of the said case are not akin to the facts of the present case. However, taking into consideration the submissions of either side, respondents are directed to take all precautions by installing CCTV cameras in and around the offices, where the nominations are to be filed by the candidates and to provide sufficient police bandobust for ensuring fair and peaceful conduct of local body elections and to see that the elections shall be conducted in a fair and transparent manner without any law and order problems and ensure that the instructions dated 16.10.2026 received from the Director General of Police shall be strictly followed. Further, the State Election Commission shall issue a circular that all officers who have been assigned for election duty shall display their identity cards prominently and whenever any of the observers or any authority calls upon to prove their identity, they should readily and immediately produce their identity card and establish their identity.

12) With the above directions, this writ petition is disposed of. There shall be no order as to costs.

13) Pending miscellaneous applications, if any, shall stand closed.

JUSTICE V.SUJATHA

16.10.2026
Ksp