APHC010569532026

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

TUESDAY, THE 3rd DAY OF NOVEMBER 2026

PRESENT

THE HONOURABLE SMT JUSTICE KIRANMAYEE MANDAVA

WRIT PETITION NO: 31093/2026

Between:

1. NARU OMKAR REDDY, S/O. KRISHNA REDDY, AGED ABOUT 52 YEARS, OCC AGRICULTURE, R/O. D.NO. 5/300, LAKSHMIPURAM, MAGUTUR PANCHAYAT, ARDAVEEDU MANDAL, MARKAPURAM DISTRICT, ANDHRA PRADESH 523333.

2. NARU LAKSHMI, W/O. OMKAR REDDY, AGED ABOUT 41 YEARS, R/O. D.NO. 5/30C, LAKSHMIPURAM, MAGUTUR PANCHAYAT, ARDAVEEDU MANDAL, MARKAPURAM DISTRICT, ANDHRA PRADESH 523333.

3. NARU TEJESWAR REDDY, S/O. OMKAR REDDY, AGED ABOUT 24 YEARS, R/O. D.NO. 5/300, LAKSHMIPURAM, MAGUTUR PANCHAYAT, ARDAVEEDU MANDAL, MARKAPURAM DISTRICT, ANDHRA PRADESH 523333.

4. NARU MADHAVI, W/O. ASHOK REDDY, R/O. LAKSHMIPURAM, MAGUTUR PANCHAYAT, ARDAVEEDU MANDAL, MARKAPURAM DISTRICT, ANDHRA PRADESH 523333.

5. NARU ASHOK REDDY, S/O. KRISHNA REDDY, AGED ABOUT 48 YEARS, R/O. D.NO. 5/300, LAKSHMIPURAM, MAGUTUR PANCHAYAT, ARDAVEEDU MANDAL, MARKAPURAM DISTRICT, ANDHRA PRADESH 523333.

6. CHEGIREDDY VENKATA SOWJANYA, W/O. VENKATA KRISHNA REDDY, R/O. LAKSHMIPURAM, MAGUTUR PANCHAYAT, ARDAVEEDU MANDAL, MARKAPURAM DISTRICT, ANDHRA PRADESH 523333.

7. NARU MADHAVA REDDY, S/O. NARU KRISHNA REDDY, R/O. D.NO. 11-13-1129, GREEN HILLS COLONY, SAROOR NAGAR,

HYDERABAD, TELANGANA 500035.

...PETITIONER(S)

AND

1. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY, PANCHAYAT RAJ AND RURAL DEVELOPMENT DEPARTMENT, SECRETARIAT, VELAGAPUDI, AMARAVATI, ANDHRA PRADESH-522501.
2. THE STATE ELECTION COMMISSION, ANDHRA PRADESH, REP. BY ITS STATE ELECTION COMMISSIONER, 1ST FLOOR, NEW HODS BUILDING, M.G. ROAD, VIJAYAWADA, ANDHRA PRADESH 520010.
3. THE COMMISSIONER, PANCHAYAT RAJ AND RURAL DEVELOPMENT DEPARTMENT, ANDHRA PRADESH-522501.
4. THE DISTRICT COLLECTORCUMDISTRICT ELECTION OFFICER, MARKAPURAM DISTRICT, ANDHRA PRADESH-523316.
5. THE DISTRICT PANCHAYAT OFFICER, MARKAPURAM DISTRICT, ANDHRA PRADESH-523316.
6. THE SUPERINTENDENT OF POLICE, MARKAPURAM DISTRICT, ANDHRA PRADESH-523316.
7. THE MANDAL PARISHAD DEVELOPMENT OFFICER MPDO, ARDAVEEDU MANDAL, MARKAPURAM DISTRICT, ANDHRA PRADESH-523333
8. THE RETURNING OFFICER / ELECTION OFFICER, MPTC AND ZPTC TERRITORIAL CONSTITUENCIES, MAGUTUR GRAM PANCHAYAT, ARDAVEEDU MANDAL, MARKAPURAM DISTRICT, ANDHRA PRADESH-523333.

...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 to issue a WRIT OF MANDAMUS or any other appropriate Writ, Order, or Direction I) to declare the action of the Respondent Authorities in refusing to allow the Petitioners and other eligible voters of Lakshmipuram and Krishna Nagar localities (Magutur Gram Panchayat, Ardaveedu Mandal,

Markapuram District) to cast their votes and to contest in the Local Body Elections (ZPTC, MPTC and Sarpanch) solely on the ground that these areas are affected by the Velugonda Project as illegal, arbitrary, discriminatory, and in violation of Article 14 of the Constitution of India and the Andhra Pradesh Panchayat Raj Act, 1994 II) to Direct the Respondent Authorities to permit the Petitioners and all eligible residents whose names appear in the official Electoral Roll published on 15.04.2026 to freely exercise their right to vote in the local body elections at designated Polling Stations (Polling Station Nos. 7 and 8) And consequently Direct the Returning Officers/Respondent Authorities to receive and process the nomination papers of eligible candidates from these localities who wish to contest in the local body elections (including Sarpanch, MPTC, and ZPTC) in accordance with the law, without raising oral objections regarding the Velugonda Project and pass

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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 pleased to direct the Respondent Authorities to permit the Petitioners and all eligible voters of Lakshmipuram and Krishna Nagar (Magutur Gram Panchayat) whose names are included in the published Electoral Roll dated 15.04.2026 to exercise their right to vote, and further direct the Returning Officers to receive and consider their nomination papers to contest in the Local Body Elections(including Sarpanch, MPTC, and ZPTC), Pending disposal of the main Writ Petition and pass

Counsel for the Petitioner(S):

1. GAJJALA MALLIKARJUNA 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. GP FOR HOME
4. N ASHWANI KUMAR
5. GP FOR REVENUE

The Court made the following:

ORDER:

Heard Sri G.Mallikarjuna Reddy, learned counsel for the petitioners, the learned Assistant Government Pleader for Panchayat Rural Development, Municipal, Sri Sasanka Bhuvanagiri, learned Standing Counsel for the respondent Nos.7 & 8, learned Assistant Government Pleader for Home, Sri N. Ashwani Kumar, learned Standing Counsel for the respondent No.2 – SEC and learned Assistant Government Pleader for Revenue.

2. The grievance of the petitioners is against the action of the respondent authorities in refusing to allow the petitioners to cast their votes and to contest in the Local Body Elections (ZPTC, MPTC and Sarpanch). Consequent direction was sought to the respondent authorities to permit the petitioners and all eligible residents whose names appear in the Electoral Roll published on 15.04.2026 to cast their vote in the local body elections at designated Polling Stations (Polling Station Nos.7 & 8), the other prayers sought by the petitioners to direct the respondents to allow the petitioners to file their nominations.

3. Sri G. Mallikarjuna Reddy, learned counsel appearing for the petitioners, contends that the names of the petitioners are duly reflected in the relevant electoral Roll of Magutur Gram Panchayat published on 15.04.2026. However the respondent authorities are denying their right on the premise that the lands of the petitioners were acquired for submergence of Veligonda irrigation project. He further submits that the petitioners and other affected

residents continue to physically reside in Lakshmipuram and Krishna Nagar and that the said localities have not submerged yet.

4. The grievance of the petitioners is that the action of the respondent authorities in preventing them to participate in the election process is arbitrary and contrary to the provisions of Section 11(3) of the Andhra Pradesh Panchayat Raj Act, 1994,(for short the Act).

5. It is argued that as per the terms of the provisions of Section 11(3) of the Act the Electoral Roll published in respect of a Gram Panchayat continues to remain in force until a fresh Electoral Roll is published and that every person whose name appears in the relevant Electoral Roll is entitled to exercise their right to vote in the election pertaining to that ward.

6. In the light of the aforesaid statutory provision, learned counsel for the petitioners contends that the respondent authorities have no authority to deprive the petitioners of their right either to contest in the elections or to cast their vote.

7. The learned Assistant Government Pleader appearing for the respondents, on instructions, would submit that the subject village got completely submerged under the P.S. Veligonda Project and that the residents are no longer residing in the said Village. Therefore, according to the respondents, the petitioners are not entitled to exercise their vote in the subject village, which is no longer in existence.

8. Sri N. Ashwani Kumar, learned Standing Counsel appearing for the Andhra Pradesh State Election Commission, on instructions, would submit that, based on the information furnished by the District Panchayat Officer, Lakshmipuram and Krishna Nagar localities of Magutur Gram Panchayat were fully submerged and all the Project Displaced Families (PDFs) were evacuated and shifted to other places. Consequently, their names in the Electoral Roll were marked under the shifted category in the ASD List. It is further submitted that, since the petitioners were shifted from their original habitations in Lakshmipuram and Krishna Nagar, they are not entitled to exercise their franchise in the Second Ordinary Elections to Rural Local Bodies. It is also contended that they were classified as Project Displaced Families (PDFs) and not as Project Affected Families, as stated by the petitioners in the affidavit filed in the writ petition. In this regard, reliance is placed upon the proceedings of the Deputy Collector (LA)(FAC), R&R Unit, vide Rc.C/05/2026, dated 21.09.2026.

9. Having considered the submissions made by the learned counsel appearing on either side, it is appropriate to refer the relevant statutory provisions governing the preparation and publication of Electoral Rolls. Section 2 (34) of the Andhra Pradesh Panchayat Raj Act, defines the expression ‘qualifying date’ in relation to the preparation and publication of Electoral Rolls under the Act, means the first day of January of the year in which it is so prepared and published.

10. Further, Section 11(1) of the A.P. Gram Panchayat Act provides that the electoral roll for the Gram Panchayat shall be prepared by the person authorised by the State Election Commissioner in such manner by reference to such qualifying date as may be prescribed, and the Electoral Roll for the Gram Panchayat shall come into force immediately upon its publication in accordance with the rules made by the Government. The Electoral Roll for the Gram Panchayat shall consist of such part of the Electoral Roll for the Assembly constituency published under the Representation of the People Act, as revised or amended under the Act, up to the ***qualifying date*** as relates to the village or any portion thereof.

11. In light of the unambiguous statutory provisions governing the preparation and publication of the electoral roll for a Gram Panchayat, on the ***qualifying date*** their names are reflecting in the electoral roll the subject Gram Panchayat, published on 15-04-2026, the respondent election authorities cannot deny the petitioners their right to cast their vote, citing project-displaced families.

12. Having regard to the facts and circumstances of the case, this Court deems it appropriate to dispose of the Writ Petition with a direction to respondent Nos.2, 4 and 8 to permit the petitioners to participate to cast their vote in the Local Body Elections (ZPTC, MPTC and Sarpanch). The said respondents shall not cause any obstruction or hindrance to the petitioners in exercising their right to vote in the scheduled elections.

13. Accordingly, the writ petition is disposed of. No order as to costs.

As a sequel, all pending miscellaneous applications shall stand closed.

JUSTICE KIRANMAYEE MANDAVA

Dated: 03.11.2026
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THE HONOURABLE SMT JUSTICE KIRANMAYEE MANDAVA

WRIT PETITION NO: 31093 OF 2026

Date: 03.11.2026
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