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APHC010569572026

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI [3604]
(Special Original Jurisdiction)

TUESDAY, THE 10th DAY OF NOVEMBER 2026

PRESENT

THE HONOURABLE SMT JUSTICE SUNITHA GANDHAM

WRIT PETITION NO: 31105/2026

Between:

1. SAKHAMURI SREEJA, D/O SRINIVAS, OCC SELF EMPLOYE, AGED ABOUT 24 YEARS R/O.KONURU, ATCHAMPET MANDAL, PALNADU DISTRICT A.P-522410.
2. MASTA NAGA RADHIKA, W/O SRINIVASA RAO, OCC. HOUSE WIFE, AGED ABOUT 41 YEARS, R/O.KONURU, ATCHAMPET MANDAL, PALNADU DISTRICT A.P-522410.

...PETITIONER(S)

AND

1. THE STATE ELECTION COMMISSION, REP BY ITS STATE ELECTION COMMISSIONER NEW HODS BUILDING OPP INDIRA GANDHI MUNICIAPAL STADIUM M G ROAD VIJAYAWADA NTR DISTRICT-520010
2. THE DISTRICT ELECTION OFFICER CUM DISTRICT COLLECTOR, PALNADU DISTRICT, A.P -522601
3. THE RETURNING OFFICER, MPTC ELECTIONS 2026 ATCHAMPET MANDAL, PALNADU DISTRICT A.P-522409.
4. THE STATE OF ANDHRA PRADESH, REP BY ITS. PRINCIPAL SECRETARY, HOME DEPARTMENT, AP SECRETARIAT, VELAGAPUDI, GUNTUR DISTRICT-522238.

5. THE DIRECTOR GENERAL OF POLICE, AP POLICE HEADQUARTERS, MANGALAGIRI, GUNTUR DISTRICT.522503
6. THE SUPERINTENDENT OF POLICE, PALNADU DISTRICT, A.P - 522601
7. THE DEPUTY SUPERINTENDENT OF POLICE, SATTENAPALLI PALNADU DISTRICT, A. P-522403
8. THE S H O, ACTAMPET, PALNADU DISTRICT, A.P.-522409.
9. SRI AVULA HARI BABU, S/O NOT KNOWN TO PETITIONER, WORKING AS CIRCLE INSPECTOR, ACTAMPET PALNADU DISTRICT, A.P.-522409.
10. SRI CHARLIS, S/O NOT KNOWN TO PETITIONER. WORKING AS POLICE CONSTABLE, ACTAMPET PALNADU DISTRICT, A.P.-522409.
11. SRI JILANI, S/O NOT KNOWN TO PETITIONER. WORKING AS POLICE CONSTABLE, ACTAMPET PALNADU DISTRICT, A.P.-522409.
12. SRI YEDUKONDALU, S/O. NOT KNOWN TO PETITONER WORKING AS POLICE CONSTABLE, ACTAMPET PALNADU DISTRICT, A.P.-522409.
13. SRI SAJJA VENKATA SURESH, S/O NOT KNOWN TO PETITONER, RETURINING OFFICER, ACTAMPET PALNADU DISTRICT, A.P.-522409.

...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 an appropriate Writ, Order or Direction, more particularly one in the nature of a WRIT OF MANDAMUS, a) Declaring the action of respondent Nos. 6 to 12 in obstructing the petitioners from submitting their nomination papers in connection with the Konuru Village MPTC Elections, 2026, as illegal, arbitrary and contrary to law b). Directing respondent Nos. 5 to provide adequate police protection to the petitioners and the concerned candidates, under the supervision of an officer not below the rank of Deputy Superintendent of Police, to prevent intimidation, threats or unlawful interference in the election process. c). Directing respondent Nos. 1 and 2 to

consider, the petitioners' request for an opportunity to submit their nomination papers through E-mail, Register post any online mode to file nomination and original paper set will submit to the Respondent No.1 and seeking extension of time for nomination or other appropriate remedial measures as may be legally available

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 direct respondent Nos. 6 to 12 in obstructing the petitioners from submitting their nomination papers in connection with the Konuru Village MPTC Elections, 2026 and pending disposal of the above Writ Petition

IA NO: 2 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 direct the Respondent Nos. 5 to provide adequate police protection to the petitioners and the concerned candidates, under the supervision of an officer not below the rank of Deputy Superintendent of Police, to prevent intimidation, threats or unlawful interference in the election process and pending disposal of the above Writ Petition

IA NO: 3 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 direct the respondent Nos. 1 to 3 and 13 to consider, the petitioners' request for an opportunity to submit their nomination papers through E-mail, Register post any online mode to file nomination and original paper set will submit to the Respondent No.1 and seeking extension of time for nomination or other appropriate remedial measures as may be legally available process and pending disposal of the above Writ Petition

IA NO: 4 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 may be pleased to direct respondent Nos. 6 to 8 to immediately preserve and secure the original CCTV footage of the Atchampet Police Station for the period from 4:00 p.m. to 5:00 p.m. on 23.10.2026, together with all relevant electronic records, access logs and available backup copies, without any

deletion, overwriting, alteration or tampering, and to keep the same intact, and further direct the concerned authorities to preserve and secure the relevant Call Detail Records (CDRs), including incoming and outgoing call details, call timings, duration and the mobile numbers involved in the communications between the concerned persons during the period from 4:00 p.m. to 5:00 p.m. on 23.10.2026, and pending disposal of the above Writ Petition, and pass

Counsel for the Petitioner(S):

1. PONNEKANTI MALLIKARJUNA RAO

Counsel for the Respondent(S):

1. GP FOR HOME
2. N ASHWANI KUMAR
3. Mattegunta.Sudhir,Standing Counsel For Z.P.Ps,M.P.Ps,Gram Panchayats

The Court made the following:

THE HON'BLE SMT. JUSTICE SUNITHA GANDHAM

WRIT PETITION No. 31105 OF 2026

ORDER:

This writ petition is filed to declare the action of respondent Nos.6 to 12 in obstructing the petitioners from submitting their nomination papers for the Konuru Village MPTC Elections, 2026 as illegal, arbitrary and contrary to law and to direct the respondent No.5 to provide adequate police protection to them and other concerned candidates, under the supervision of an officer not below the rank of Deputy Superintendent of Police, and a further direct the respondent Nos.1 and 2 to consider their request to submit nomination papers through e-mail, registered post or any other online mode and to extend the time for filing nominations.

2. Learned Assistant Government Pleader for Home filed written instructions received from the Station House Officer, Atchampet Police Station stating that no representation seeking police protection at the time of filing nomination papers was received from the petitioners, the police had taken necessary measures to ensure the smooth and peaceful conduct of the nomination process, adequate police personnel were deployed at the nomination centres and appropriate action would be taken on receipt of any complaint or credible information.

3. Learned Standing Counsel for respondent No.1/ State Election Officer and learned counsel for the respondent No.3/ Returning Officer would argue that in view of the completion of the elections, the main writ petition itself is not maintainable and if the petitioners are really aggrieved, they have to approach the concerned authorities to file Election Petition. Learned counsel for the respondent No.1 would further submit that having considered the prevailing circumstances in respect of the Municipal Elections and also elections to the MPTC & ZPTC, the Hon'ble Apex Court has already issued specific directions in ***Yuvajana Sramika Rythu Congress Party vs The State of Andhra***

Pradesh and others [1] and as such, both the main petition and the Interlocutory Application in I.A No. 4 of 2026 are not maintainable and are liable to be dismissed.

4. After completion of election date, petitioners filed a petition I.A.No.4 of 2026 seeking preservation of the CCTV footage of Atchampet Police Station for the period from 4.00 p.m. to 5.00 p.m. on 23.10.2026, together with the relevant electronic records, access logs and available backup copies. Learned counsel for the petitioners would submit that a representation dated 25.10.2026 was addressed to the Station House Officer and other higher authorities requesting preservation of the CCTV footage.

5. While dealing with the petition in respect of the Municipal Elections, the Hon'ble Apex Court in ***Yuvajana Sramika Rythu Congress Party (supra)*** also considered the issue with regard to the ZPTC & MPTC elections and further, having considered the material and compliance reports filed by the respondents, it is held at Para No.11 thus:

> "11. In light of the aforesaid remedies, candidates who claim to have been prevented from filing nominations in the elections to the ULBs by violence, including those whose representations were not favourably considered by the commission, would be entitled to individually challenge the election result by way of an election petition before the Election Tribunal in accordance with law. In such a petition, if the candidate is able to prove by leading cogent and reliable evidence that he had actually gone to the nomination centre within the notified period and was prevented from filing nomination by force, intimidation or obstruction, then such failure shall be deemed to be an improper rejection of such nomination. The Election Tribunal shall decide the petition on that footing in accordance with law, notwithstanding that no nomination paper of the candidate was received by the returning officer or the election officer, as the case may be."

6. So, as rightly argued by the learned Standing Counsel for respondent No.1, Article 243-O(b) of the Constitution of India provides that an election to a Panchayat shall not be called in question except by an election petition

[1] SLP (c) No. 37476 of 2026 dated 27.10.2026

presented to such authority and in such manner as is provided for by or under any law made by the Legislature of the State. Therefore, any grievance in respect of the validity of the election has to be raised before the forum constituted under the relevant election law. In the said Special Leave Petition, Hon'ble Apex Court directed the Director General of Police to ensure due compliance with the directions as well as the directions issued by the respondent No.1 dated 23.10.2026, to provide adequate police bandobast at the nomination centres to ensure smooth and unhindered filing of nominations by all prospective candidates in the ensuing elections to all local bodies and further to videograph/ CCTV coverage at the centres, the strong rooms and the counting centres, till the expiry of the period of limitation for filing an election petition and if any petition is filed, till its final disposal.

7. The record indicates that the writ petition is filed on the last date fixed for submission of nominations for the ZPTC and MPTC elections. The petitioners alleged that they were prevented from submitting their nomination papers and the matter was adjourned from time to time and in the meantime, the nomination process as well as the election process for the MPTC posts through out the State has been completed. It is also brought to the notice of this Court that the elections have been completed pursuant to the directions issued by the Hon'ble Supreme Court.

8. In view of the completion of the election process, the reliefs seeking permission to submit nomination papers, extension of time for filing nominations and police protection during the nomination process have become infructuous. This Court cannot, in these proceedings, reopen or interfere with an election process which has already been completed. If the petitioners are aggrieved by any alleged obstruction, irregularity or illegality in connection with the election, the remedy available to them is to approach the competent forum by presenting an election petition in accordance with the applicable law.

9. It is made clear that this Court has not expressed any opinion on the truth or otherwise of the allegations made by the petitioners regarding the alleged obstruction in submitting their nomination papers. No further orders are necessary in the main writ petition in respect of the reliefs relating to submission of nominations, extension of time and police protection during the election process, as those reliefs have become infructuous. The petitioners are at liberty to work out their remedies by filing an election petition before the competent forum, if so advised, in accordance with law.

10. Insofar as the request for preservation of CCTV footage, learned counsel for the petitioners would argue that the petitioners intend to file election petition and in the said petition, they have to produce material to substantiate their version that they have actually gone to the nomination centre within the notified period and were prevented from filing nomination by force, intimidation or obstruction and they also approached the concerned police between 4.00 p.m and 5.00 p.m on 23.10.2026. In this regard, it is relevant to note that the Hon'ble Supreme Court in ***Paramvir Singh Saini v. Baljit Singh and others***[2], issued comprehensive directions to all the States and Union Territories regarding the installation, functioning, maintenance and preservation of CCTV systems in police stations. The said directions are binding on all police authorities and are required to be followed in letter and spirit.

11. **In the result,** and for the foregoing reasons, this Writ Petition is disposed of, and respondent Nos.5 to 8 shall ensure preservation of the CCTV footage available in the Atchampeta Police Station dated 23.10.2026 between 4.00 p.m. and 5.00 p.m. in accordance with the guidelines issued by the Hon'ble Supreme Court in ***Paramveer Singh Saini*** (supra) and the respondent Nos.5 to 8 shall take necessary steps to ensure that the said

[2] (2021) 1 SCC 184

footage is not erased, over written or otherwise destroyed and shall retain the same in accordance with law. There shall be no order as to costs.

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

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SUNITHA GANDHAM, J

Dated: 10.11.2026
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