APHC010569692026

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

Bench Sr.No:-16
[3584]

WRIT APPEAL NO: 1233 of 2026

Geedhara Dharma Reddy ...Appellant

Vs.

Sri Sugavasi Prasad Babu and others ...Respondent(s)

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CORAM : THE CHIEF JUSTICE LISA GILL
SRI JUSTICE CHALLA GUNARANJAN

DATE : 27th October 2026

Present:

Advocate for Appellant: MS. LALAM SYAMANTHA

Advocate(s) for Respondent(s): MR.A.SYAM SUNDAR REDDY;
MR.D S SIVADARSHAN,
MR.N ASHWANI KUMAR, AND
GP FOR PANCHAYAT RAJ
RURAL DEV.

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JUDGMENT: (per Hon'ble Sri Justice Challa Gunaranjan)

Appellant, third party to proceedings in writ petition, preferred present appeal challenging the order, dated 18.10.2026, in W.P.No.45116 of 2026, whereby learned Single Judge, while disposing the writ petition preferred by 1st respondent herein, directed respondents 5 to 8 herein to consider and dispose of the representation of writ petitioner, dated 17.10.2026, for the purpose of inclusion of name in electoral rolls.

2. 1st respondent/writ petitioner sought for deletion of his name in electoral roll of Rayachoty Town and for transposing in electoral rolls of Galiveedu Village by submitting required statutory applications. Such request was accepted on 16.09.2026 and was also issued an Election ID card under EPIC ID No.IJC2122661, which he is stated to have downloaded on 28.09.2026. Despite acceptance of request made in Form 8, as writ petitioner's name was not included in electoral roll of Galiveedu Village, representation, dated 17.10.2026, was made for necessary action, and thereafter, writ petition was filed.

3. Learned Single Judge, after considering aforesaid aspects, directed respondents 5 to 8 herein to pass appropriate orders on writ petitioner's representation, dated 17.10.2026, for the purpose of inclusion of name in electoral rolls.

4. Assailing the same, present appeal is preferred along with an application seeking leave.

5. Ms.Lalam Syamantha, learned counsel for appellant, contended that inclusion of 1st respondent/writ petitioner's name in electoral roll of Galiveedu Village, entitling him to contest elections in pursuance to election notification, dated 19.10.2026, is not in accordance with the proviso to Section 11 of the A.P. Panchayat Raj

Act, 1994 (for short, “the Act”), learned Single Judge, thus erred in directing official respondents to dispose the representation of 1st respondent/writ petitioner without regard to outer time limit envisaged as above. Learned counsel for appellant further contended that election notification since was issued on 19.10.2026, in view of embargo under proviso to Section 11 of the Act, inclusion of name of writ petitioner after issuance of notification, and that too on 23.10.2026, is impermissible, therefore, consequential actions of submitting nomination and allowing writ petitioner to contest the elections in rural local bodies are vitiated, thus, would urge to allow the appeal by setting aside the order of learned Single Judge.

6. Mr.A.Syam Sundar Reddy, learned counsel for 1st respondent/writ petitioner; Mr.D.S. Siva Darshan, learned Standing Counsel for Election Commission of India, and Mr.N.Ashwani Kumar, learned Standing Counsel for State Election Commission, appearing for official respondents, while supporting the order under challenge, contended that Form 8, since is stated to have been accepted on 16.09.2026, which is well before issuance of election notification, dated 19.10.2026, inclusion of name of 1st respondent/writ petitioner in electoral rolls of Galiveedu Village was perfectly justified and does not militate against Legislative mandate envisaged under proviso to

Section 11 of the Act. Further, learned counsels have also contended that the very writ appeal itself is not maintainable inasmuch as election process since has already started, all these issues raised are amenable to challenge only by raising an election dispute before competent Tribunal as contemplated under Section 233 of the Act, thus, pleaded for dismissal of present appeal.

7. We have gone through the record and considered submissions advanced by learned counsels for the parties.

8. It is not in dispute that 1st respondent/writ petitioner submitted Form 7 for deletion of his name in electoral roll of Rayachoty Town and Form 8 for transposing/transferring his name to electoral roll of Galiveedu Village on 09.09.2026. Said request was accepted on 16.09.2026, followed by issuance of Election ID Card. Section 11 of the Act, in particular, proviso thereto, clearly envisages that any amendment, transposition, or deletion of any entries in the electoral roll, or any inclusion of names in the electoral roll of the Assembly Constituencies undertaken in terms of Section 22 or Section 23 of the Representation of the People Act, 1950, upto the date of election notification, shall be carried out in the electoral roll of the Gram

Panchayat, and any such names included shall be added to the part relating to the last Ward.

9. In the present case, Form 8 was accepted on 16.09.2026, and election notification was issued on 19.10.2026. Any amendment, transposition, or deletion of entries in the electoral roll as on the date of notification, i.e.,19.10.2026, thus, are permissible, hence, inclusion of name of 1st respondent/writ petitioner in the electoral roll of Galiveedu Village cannot be said to have been undertaken in contravention to above provision. The ministerial act of passing order including name of writ petitioner in electoral rolls on 23.10.2026, which is after issuance of election notification, is in fact justified, which is in consonance with the above-said provision. At any rate, once 1st respondent/writ petitioner's name is transposed in electoral roll of Galiveedu Village, basing on which nomination has been filed for contesting as ZPTC member, the issue of whether writ petitioner's name has been validly included in the electoral roll making him eligible to contest elections would fall outside the judicial review of this Court in view of the statutory remedy provided under Section 233 of the Act. We, therefore, do not find any merit in the present appeal.

10. Accordingly, writ appeal is dismissed. The appellant, however, is granted liberty to avail appropriate remedies otherwise available under law. No order as to costs.

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

LISA GILL, CJ **CHALLA GUNARANJAN, J**

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