APHC010569772026

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

MONDAY, THE 26th DAY OF OCTOBER 2026

PRESENT

THE HONOURABLE SMT JUSTICE V.SUJATHA

WRIT PETITION NO: 31134/2026

Between:

1. YATA VEERA NARAYANA, S/O. NAGAIAH, AGED ABOUT 49 YEARS, OCCUPATION AGRICULTURIST, R/O.1-85, EAST STREET, PAMURU VILLAGE AND MANDAL, MARKAPURAM DISTRICT, ANDHRA PRADESH- 523108.

2. SHAIK DAMARAMADUGU KHADAR BASHA, S/O. KHAJA HUSSAIN, AGED ABOUT 59YEARS, OCCUPATION BUSINESS (RUNNING TENT HOUSE), R/O.2-433, KANDUKUR ROAD, PAMURU VILLAGE AND MANDAL, MARKAPURAM DISTRICT, ANDHRA PRADESH- 523108.

3. SAYYAD SHARMILA, W/O. HANIF, AGED 53 YEARS. OCCUPATION HOUSEWIFE, R/O.6-9-2, IRUVURU ROAD, PAMURU VILLAGE AND MANDAL, MARKAPURAM DISTRICT, ANDHRA PRADESH- 523108.

...PETITIONER(S)

AND

1. THE ELECTION COMMISSION OF INDIA, REP.BY ITS CHIEF ELECTION COMMISSIONER, NIRVACHAN SADAN, ASHOKA ROAD, NEW DELHI-110001.

2. THE CHIEF ELECTORAL OFFICER, OFFICE OF ELECTION COMMISSION OF INDIA, FOR THE STATE OF ANDHRA PRADESH, ROOM NO.101, GROUND FLOOR, 5TH BLOCK, PENUMAKA-AMARAVATI ROAD, VELAGAPUDI VILLAGE, TULLUR MANDAL,

GUNTUR DISTRICT, ANDHRA PRADESH-522237.

3. THE ANDHRA PRADESH STATE ELECTION COMMISSION, REP.BY ITS SECRETARY, 1ST FLOOR, NEW HOD BUILDING, OPP.INDIRA GNDHI MUNICIPAL STADIUM, M.G.ROAD, VIJAYAWADA, ANDHRA PRADESH-520002.

4. THE DISTRICT ELECTION AUTHORITYCUMDISTRICT COLLECTOR, MARKAPURAM DISTRICT, ANDHRA PRADESH-523316.

5. THE RETURNING OFFICER, PAMUR MANDAL, MARKAPURAM DISTRICT, ANDHRA PRADESH-523108.

6. THE SUPERINTENDENT OF POLICE, .MARKAPURAM DISTRICT, ANDHRA PRADESH- 523316.

7. THE DEPUTY SUPERINTENDENT OF POLICE, ,KANIGIRI, MANDAL, MARKAPURAM DISTRICT, ANDHRA PRADESH- 523230.

8. THE INSPECTOR OF POLICE, PAMURU CIRCLE OFFICE, PAMUR VILLAGE AND MANDAL, MARKAPURAM DISTRICT, ANDHRA PRADESH- 523108.

9. THE SUBINSPECTOR OF POLICE, PAMURU POLICE STATION, PAMURU VILLAGE AND MANDAL, MARKAPURAM DISTRICT, ANDHRA PRADESH- 523108.

10. ANCHURI VENKATA REDDY, S/O.TIRUPATHI REDDY, AGED ABOUT 55 YEARS, R/O.PAMURU VILLAGE AND MANDAL, MARKAPURAM DISTRICT, ANDHRA PRADESH-523108.

11. THE STATE OF ANDHRA PRADESH, REP.BY ITS PRINCIPAL SECRETARY, PANCHAYAT RAJ AND RURAL DEVELOPMENT DEPARTMENT, SECRETARIAT BUILDINGS, VELAGAPUDI VILLAGE, TULLUR MANDAL, GUNTUR DISTRICT, 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 Order or Orders more particularly one in the nature of Writ of Mandamous declaring the action of the respondents No.3 to 9, in not preventing the respondent No.10 and others, who belong to Telugu Desam Party, in snatching our Nominations Papers at the Office of the 5th respondent, inspite of our specific complaints made about the high handed and attrocious actions of the 10th respondent and others, is illegal arbitrary and violative of Article 14, 21, 243K and 326 of Constitution of India and Consequently direct the respondents to allow the petititoners to file their Nominations to the Mandal Parishath Territorial Constituencies 2 and 5 of Pamuru Mandal of Markapuram District, by extending the time to file the Nominations of the petitioners for the above MPTCs 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 direct the respondents to allow the petititoners to file their Nominations to the Mandal Parishath Territorial Constituencies No.l, 2 and 5 of Pamuru Mandal of Markapuram District, by extending the time to file the Nominations of the petitioners for the above MPTCs pending disposal of the above writ petition and pass

Counsel for the Petitioner(S):

1. MADHAVA RAO NALLURI

Counsel for the Respondent(S):

1. GP FOR PANCHAYAT RAJ RURAL DEV
2. GP FOR HOME
3. RAVITEJA PADIRI
4. N ASHWANI KUMAR
5. A JAYANTHI

The Court made the following:

ORDER:

This Writ Petition came to be filed under Article 226 of the Constitution of India, seeking the following prayer:

> "…to issue a Writ Order or Orders more particularly one in the nature of Writ of Mandamous declaring the action of the respondents No.3 to 9, in not preventing the respondent No.10 and others, who belong to Telugu Desam Party, in snatching our Nominations Papers at the Office of the 5th respondent, inspite of our specific complaints made about the high handed and attrocious actions of the 10th respondent and others, is illegal arbitrary and violative of Article 14, 21, 243K and 326 of Constitution of India and Consequently direct the respondents to allow the petititoners to file their Nominations to the Mandal Parishath Territorial Constituencies 2 and 5 of Pamuru Mandal of Markapuram District, by extending the time to file the Nominations of the petitioners for the above MPTCs and pass…"

2. The petitioners are residents of Pamuru village and mandal, Markapuram district and are members of the Communist Party of India (Marxist) [CPI(M)]. The 3rd respondent issued a schedule on 14.10.2026, for conducting elections to the rural local bodies in the State, as per which, nominations for ZPTCs and MPTCs shall be filed on or before 23.10.2026. Pursuant to the same, the petitioners intended to contest in the Mandal

Parishad Territorial Constituency Nos.1, 2 and 5 of Pamuru mandal, Markapuram district.

3. As such, on 23.10.2026, at about 11.00 a.m., the petitioners, accompanied with 60 other members of CPI (M) proceeded to the office of MPDO, Pamuru mandal for filing nomination. At that juncture, the 10th respondent, who belong to Telugu Desham Party, accompanied with 100 other members, obstructed the petitioners from entering the MPDO office, Pamuru mandal, resorted to intimidation, used brute force and tore the petitioners' nomination papers. Aggrieved by the said action, the petitioners made a complaint to the 1st respondent on 23.10.2026, upon receipt of which, the 3rd respondent was addressed a letter requesting to enquire into the matter and take necessary action. On the same day, the petitioners have submitted a report to the 9th respondent – Sub-Inspector of Police, Pamuru Police Station, who registered a case in Crime No.96 of 2026 for the offence punishable under Sections 136(2)(a) of the Representation of the People Act, 1951 and under Sections 126(2), 174 of the Bharatiya Nyaya Sanhitha, 2023. In spite of the same, as no action has been initiated by the respondent authorities in preventing the 10th respondent and others from obstructing the petitioners from filing nomination in the MPDO office, Pamuru mandal, the present writ petition is filed.

4. Heard Sri. Madhava Rao Nalluri, learned counsel for the petitioners, Sri. N. Ashwani Kumar, learned Standing Counsel for the 3rd respondent and learned Assistant Government Pleader for Home.

5. Perused the entire material available on record. During the course of hearing, learned Assistant Government Pleader for Home has furnished a copy of instructions of the 8th respondent dated 26.10.2026 wherein it is stated that on 23.10.2026, while the petitioners were proceedings towards the MPDO office, Pamuru for filing their nominations in connection with the MPTC elections, a confrontation arose between petitioners and other persons in the vicinity of the nomination centre; upon noticing the same, the Police personnel have intervened, took steps to pacify the concerned and escorted the petitioners towards the premises of the returning officer. In spite of the same, the petitioners have not approached the returning officer to submit nomination papers. Though the returning officer announced in public that only ten minutes remain for completion of nomination process and instructed any interested candidates intending to file nominations to submit their nomination papers, the petitioners did not come forward to submit their applications.

6. It is further stated in the instructions that on 24.10.2026, a report was lodged on the file of Pamuru police station by the 1st petitioner herein with

certain allegations and upon receiving the same, a case was registered in Crime No.96/2026 for the offences punishable under Sections 136(2)(a) of the Representation of the People Act, 1951 and under Sections 126(2), 174 of the Bharatiya Nyaya Sanhitha, 2023. The allegations leveled by the petitioner are under investigation and truth or otherwise would be determined in accordance with law. Hence, requested to dismiss the writ petition.

7. It can be seen from the material available on record that on 23.10.2026, while the petitioners were proceeding to the office of MPDO, Pamuru for filing nominations, a confrontation took place between the petitioners and certain other persons; at that juncture, the Police personnel are said to have intervened, pacified the concerned and escorted the petitioners to the returning officer. However, it appears that despite Police escorting the petitioners to the returning officer for submitting their nomination papers, the petitioners have not submitted their nomination papers to returning officer though an announcement was made stating that the nomination process would be completed in ten minutes.

8. Even otherwise, admittedly, pursuant to a report submitted by the petitioners, a case was registered in Crime No.96 of 2026 on the file of Pamuru police station, against the concerned for the offences punishable under Sections 136(2)(a) of the Representation of the People Act, 1951 and

under Sections 126(2), 174 of the Bharatiya Nyaya Sanhitha, 2023. However, the same is pending for due investigation. As action has already been initiated by the Police pursuant to a report submitted by the petitioners, this Court is of the opinion that no further orders are necessary in the present writ petition.

9. Accordingly, this writ petition is dismissed. There shall be no order as to costs.

Consequently, Miscellaneous Petitions, if any, pending in this Petition shall stand closed.

JUSTICE V.SUJATHA

Date:26.10.2026
Gss