APHC010577002026

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

MONDAY, THE 2nd DAY OF NOVEMBER 2026

PRESENT

THE HONOURABLE SMT JUSTICE KIRANMAYEE MANDAVA

WRIT PETITION NO: 31508/2026

Between:

1. NEELAM PRAVEENA, W/O MALLIKARJUNA RAO, AGED ABOUT 47 YEARS, R/O MUTHUKUR VILLAGE AND MANDAL, SPSR NELLORE DISTRICT.-524344 (CONTESTING CANDIDATE FOR MUTHUKUR ZPTC,SPSR NELLORE)

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REPRESENTED BY ITS PRINCIPAL SECRETARY, PANCHAYATH RAJ AND RURAL DEVELOPMENT DEPARTMENT, SECRETARIAT BUILDINGS, VELAGAPUDI, AMARAVATHI-522238
2. STATE ELECTION COMMISSION, REPRESENTED BY CHIEF COMMISSIONER, VIJAYAWADA-520010
3. DISTRICT COLLECTOR CUM DISTRICT ELECTION AUTHORITY, SPSR NELLORE DISTRICT, NELLORE-524001
4. RETURNING OFFICER CUM CHIEF EXECUTIVE OFFICER, FOR ZPTC ELECTIONS SPSR NELLORE DISTRICT NELLORE-524001
5. GANDAVARAM SUGUNA, W/O SURESH BABU AGED ABOUT 46 YEARS R/O RR COLONY MUTHUKUR VILLAGE AND MANDAL SPSR NELLORE DISTRICT PIN-524344
6. NELLORE PARIMALA, W/O SIVA PRASAD AGED ABOUT 47 YEARS R/O BC COLONY SHAINAPURAM VILLAGE MUTHUKUR MANDAL SPSR NELLORE DISTRICT 524344

...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 toto declare the action of respondents 3 and 4 in accepting the

nominations of respondent 5 and 6 for the election to the office of member muthukur ZPTC SPSR Nellore District in scrutiny held on 25-10 2026 despite the said nominations being accompanied by self declarations with blank and incorrect columns in violation of rules of Andhra Pradesh Panchayath Raj Conduct of elections rules 2006 and despite the objections raised by the petitioner as illegal arbitrary and discriminatory and violative of Articles 14 and 19 and also 243k of Constitution of India and contrary to Andhra Pradesh Panchayath Raj Conduct of elections rules 2006 and consequently direct the 4th respondent to reject the nominations of respondents 5 and 6

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 grant stay of all further proceedings for the nnuthukur ZPTC elections SPSR Nellore District pending disposal of the above writ petition

Counsel for the Petitioner:

1. AMANCHARLA SATISH BABU

Counsel for the Respondent(S):

1. GP FOR PANCHAYAT RAJ RURAL DEV
2. N ASHWANI KUMAR
3. CKR ASSOCIATES

The Court made the following:

ORDER:-

Heard Sri Amancharla Satish Babu, learned counsel for the petitioner, learned Government Pleader for Panchayat Raj & Rural Development appearing for the respondent No.1, Sri N.Ashwani Kumar, learned Standing Counsel appearing for the respondent Nos.2 and 4 and Sri S.V.S.S.Siva Ram, learned counsel for the respondent Nos.5 and 6.

2. The grievance of the petitioner in the instant writ petition is against the action of respondent Nos.3 and 4 in accepting the nominations of respondent Nos.5 and 6 for the election to the office of Member, Muthukur ZPTC, SPSR Nellore District. It is contended that the Returning Officer should not have accepted the nominations of the unofficial respondent Nos.5 and 6 as there were glaring discrepancies/lacunae in the documents submitted by them.

3. It is stated by learned Standing Counsel appearing for the respondent Nos.2 to 4 that the list of contesting candidates was published on 26.10.2026, and the present writ petition was filed after publication of such list dated 28.10.2026, therefore, submits that any intervention at this stage would amount to interdicting the election process.

4. Learned counsel appearing for the unofficial respondent Nos.5 and 6 would submit that mistakes are rectifiable under Rule 9 of the Andhra Pradesh Panchayat Raj (Conduct of Elections) Rules, 2006. Having regard to the same, after being satisfied with the documents submitted, the returning

officer had accepted the nominations and the petitioner should not have any grievance in the said regard.

5. In the light of the Constitutional bar as envisaged under Article 243ZC & 243-O of the Constitution of India, and since the list of all the contesting candidates has already been published and the correctness or otherwise of the nominations filed and accepted, cannot be gone into by ordering a roving enquiry under Article 226 of the Constitution of India, and conduct of any enquiry in the said regard would interdict the election process, which is barred under the provisions of the Constitution.

6. Accordingly, the writ petition is dismissed. Needless to observe that the petitioner is at liberty to avail remedies available under law. There shall be no order as to costs.

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

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JUSTICE KIRANMAYEE MANDAVA

Dated: 02.11.2026

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115

THE HONOURABLE SMT JUSTICE KIRANMAYEE MANDAVA

WRIT PETITION NO:31508 of 2026

Dated: 02.11.2026

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