APHC010578182026

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

THURSDAY, THE 29th DAY OF OCTOBER 2026

PRESENT

THE HONOURABLE SMT JUSTICE KIRANMAYEE MANDAVA

WRIT PETITION NO: 31602 OF 2026

Between:

1. Madhavam Mallikarjuna,, S/o. M.Rama Swamy, Aged about 53 years, Occ. Contesting candidate for Ward No.16 of Kadapa Municipal Corporation, Rio. D.No.42/201-14, NGO Colony, Chinna Chowk, Kadapa, Y.S.R District.

...Petitioner

AND

1. THE STATE OF ANDHRA PRADESH, represented by its Principal Secretary, Municipal Administration and Urban Development Department, Secretariat, Velagapudi, Amaravati, Andhra Pradesh,522237.

2. The State Election Commission, Vijayawada, NTR District., rep by its State Election Commissioner., New HOD'S Building, Opp. Indira Gandhi Municipal Stadium, M.G Road, Vijayawada,520010.

3. The Director General of Police, State of Andhra Pradesh., Mangalagiri, Guntur District,522503.

4. The District Election Officer cum District Collector, Kadapa, Y.S.R District,516001.

5. The Superintendent of Police, Y.S.R District, Kadapa,516001.

6. The Returning Officer, Divisions No.16 2nd Ordinary elections, 2026, Kadapa Municipal Corporation, Y.S.R District,516001.

7. The Station House Officer, Chinna Chowk Police Station, Kadapa, Y.S.R District,516001.

...Respondents

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 an appropriate writ, order or direction, more particularly one in the nature of a Writ of Mandamus, declaring the inaction of the Respondents in providing 1 plus 1 gunman protection to me for canvassing and participating in the election for the post of Ward Member of the 16th Ward of the Kadapa Municipal Corporation until completion of the election process by considering my representation dated 26th October 2026 and as illegal, arbitrary and violative of Articles 14 and 21 of the Constitution of India, and consequently direct the Respondents to provide such protection to me until completion of the election process,

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 the Respondents to provide 1+1 gunman protection to me until completion of the election process considering my representation dated 26 October 2026,

Counsel for the Petitioner: PAPUDIPPU SASHIDAR REDDY

Counsel for the Respondents: GP FOR HOME

Counsel for the Respondents: GP FOR GENERAL ADMINISTRATION

Counsel for the Respondents: GP MUNCIPAL ADMN AND URBAN DEV AP

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The Court made the following Order:

Heard Sri K. Shahin, learned counsel representing Sri Papudippu Sashidar Reddy, learned counsel for the petitioner, learned Government Pleader for Panchayat Raj and for General Administration and learned Government Pleader for Home and Sri N. Ashwani Kumar, learned Standing Counsel for the respondent No.2.

2. The grievance of the petitioner in the instant Writ Petition is against the inaction of the respondents in providing 1 + 1 gunman police protection for canvassing and participating in the election for the post of Ward Member in Ward No.16 of Kadapa Municipal Corporation until completion of the election process.

3. In the said regard, the petitioner has filed representation dated 26-10-2026 to the respondent No.2. A copy of the same has also been sent to the respondent Nos.4 & 5. As no orders have been passed on the said representation, the petitioner has filed the instant Writ Petition.

4. Learned Government Pleader appearing for the respondent No.7 has placed before the Court a copy of instructions received by her in the case. A perusal of the same would reflect that the petitioner submitted a representation dated 26-10-2026 seeking 1+1 gunman protection. However, as the provision of individual armed security to a contesting candidate is not an automatic or absolute entitlement. It is contended that such a protection is

required to be considered objectively by the competent police authorities in accordance with the applicable Government Orders, police standing instructions and the directions of the State Election Commission. The willingness of the petitioner to bear the expenditure cannot, by itself, be the sole ground for deployment of armed police personnel in the absence of an established threat perception. It is further submitted that adequate police arrangements have already been made in and around Ward/Division No. 16 to maintain peace and ensure the safety of all candidates and the general public. Regular mobile patrolling, Blue Colts, sector police beats and striking forces etc., are deployed to prevent any untoward incident and to respond promptly to any law-and-order situation. It is stated that the area is presently peaceful, and the petitioner is at liberty to continue his election campaign without hindrance.

5. Considered the submissions

6. Without going into the merits of the issue, as the petitioner's representation is pending for consideration before the State Election Commission – respondent No.2, this Court deems it appropriate to dispose of the Writ Petition directing the respondent No.2 to pass appropriate orders on the representation dated 26-10-2026 filed by the petitioner forthwith.

7. With the above observation, the Writ Petition is disposed of. There shall be no order as to costs.

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

JUSTICE KIRANMAYEE MANDAVA

Dated: 29-10-2026
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Dated: 29-10-2026
MSI