APHC010579012026

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

FRIDAY, THE 30th DAY OF OCTOBER 2026

PRESENT

THE HONOURABLE SMT JUSTICE KIRANMAYEE MANDAVA

WRIT PETITION NO: 31675 OF 2026

Between:

1. Mr. Bode Ramachandra Yadav,, S/o Late Bode Muneppa, Aged about 45 years, Occ Business, R/o. Dno. 31-39/9, Sri Sunanda Nilayam Kotha indlu LIC Colony, Punganuru, Chittoor District Andhra Pradesh 517247.

...Petitioner

AND

1. THE STATE OF ANDHRA PRADESH, represented by its Chief Secretary, Government of Andhra Pradesh, Secretariat, Amaravati.522237

2. The Andhra Pradesh State Election Commission, Represented by its State Election Commissioner, Vijayawada/Amaravati, Andhra Pradesh. Guntur District 522503

3. The State of Andhra Pradesh, represented by the Principal Secretary, Municipal Administration and Urban Development Department, Government of Andhra Pradesh, Secretariat, Amaravati.522237

4. The State of Andhra Pradesh, represented by its Principal Secretary, Panchayat Raj and Rural Development Department, Government of Andhra Pradesh, Secretariat, Amaravati.522237

5. The Andhra Pradesh State Disaster Management Authority, represented by its competent authority, Andhra Pradesh. Guntur District 522503

...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 toissue an appropriate writ, order or direction, more particularly one in the nature of a Writ of Mandamus, declaring the failure, inaction and omission of the Respondents, particularly Respondent No. 2 the State Election Commission of Andhra Pradesh, to consider and take an appropriate, reasoned and timebound decision on the Petitioner's representation dated 28.10.2026, seeking postponement or rescheduling of the 2nd Ordinary Elections to Local Bodies in the State of Andhra Pradesh-2026, particularly the Urban Local Body polling scheduled to be held on 01.11.2026, despite the grave cyclone-related conditions and the reported widespread disruption of normal life, displacement of residents, inundation and obstruction of roads, interruption of essential services and impediments to accessing polling stations, as being arbitrary, unreasonable, violative of Articles 14 and 21 of the Constitution of India, inconsistent with the constitutional mandate of free and fair elections under Articles 243-K and 243-ZA, and contrary to the principles of fairness, nonarbitrariness, public safety, electoral accessibility and meaningful democratic participation, insofar as the Respondents fail to objectively assess the verified impact of the natural calamity on the safe and effective exercise of the franchise by eligible voters, and consequently direct the Respondents as follows A) Direct the 2nd respondent to consider, in accordance with the Constitution and applicable election laws, whether postponement or rescheduling of the Schedule for the 2nd Ordinary Elections to Local Bodies in Andhra Pradesh-2026, including the Urban Local Body polling stated to be scheduled for 01.11.2026, is warranted by the verified circumstances B) If the verified circumstances and applicable law justify such action, issue appropriate consequential directions concerning postponement or rescheduling of the affected polls, having due regard to the constitutional obligation to conduct elections and the limitations upon judicial interference in an ongoing election C) Direct the competent

authorities to undertake an urgent assessment of the safety and accessibility of polling stations in the affected areas and to take appropriate lawful measures for the protection of voters and election personnel

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 2nd Respondent — State Election Commission of Andhra Pradesh, to forthwith consider and pass a reasoned decision on the Petitioner's representation dated 28.10.2026, before the commencement of polling scheduled for 01.11.2026, seeking postponement or rescheduling of the 2nd Ordinary Elections to Local Bodies in Andhra Pradesh-2026, particularly the Urban Local Body polling, by taking into consideration the prevailing cyclonerelated conditions, the reports and assessments of the competent disaster management authorities, the disruption of essential services, the accessibility and safety of polling stations, the displacement of residents and the potential risks to voters and election personnel; and further direct the Respondents to take such appropriate and lawful measures, including postponement or rescheduling of the affected polling, if warranted by the verified ground conditions and permissible under the applicable constitutional and statutory framework, so as to safeguard the life and safety of the electorate, prevent arbitrary deprivation of a meaningful opportunity to exercise the franchise, and uphold the constitutional principles of fairness, non-arbitrariness and free and fair elections, pending disposal of the above Writ Petition,

Counsel for the Petitioner: BALAIAH B

Counsel for the Respondents: GP FOR PANCHAYAT RAJ RURAL DEV

Counsel for the Respondents: GP FOR GENERAL ADMINISTRATION

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

THE HONOURABLE SMT JUSTICE KIRANMAYEE MANDAVA

WRIT PETITION NO: 31675 OF 2026

The Court made the following order:

Heard Sri Sitaram Chaparla, learned counsel representing Sri B. Balaiah, learned counsel for the petitioner, Sri N. Ashwani Kumar, learned Standing Counsel for SEC appearing for the respondent No.2 and learned Government Pleader for Panchayat Raj appearing for the respondents.

2. The instant Writ Petition is filed seeking for the following relief:

> *"….to issue an appropriate writ, order or direction, more particularly one in the nature of a Writ of Mandamus, declaring the failure, inaction and omission of the Respondents, particularly Respondent No. 2 the State Election Commission of Andhra Pradesh, to consider and take an appropriate, reasoned and timebound decision on the Petitioner's representation dated 28.10.2026, seeking postponement or rescheduling of the 2nd Ordinary Elections to Local Bodies in the State of Andhra Pradesh-2026, particularly the Urban Local Body polling scheduled to be held on 01.11.2026, despite the grave cyclone-related conditions and the reported widespread disruption of normal life, displacement of residents, inundation and obstruction of roads, interruption of essential services and impediments to accessing polling stations, as being arbitrary, unreasonable, violative of Articles 14 and 21 of the Constitution of India, inconsistent with the constitutional mandate of free and fair elections under Articles 243-K and 243-ZA, and contrary to the principles of fairness, nonarbitrariness, public safety, electoral accessibility and meaningful democratic participation, insofar as the Respondents fail to objectively assess the verified impact of the natural calamity on the safe and effective exercise of the franchise by eligible voters, and consequently direct the Respondents as follows A) Direct the 2nd respondent to consider, in accordance with the Constitution and applicable election laws, whether postponement or rescheduling of the*

Schedule for the 2nd Ordinary Elections to Local Bodies in Andhra Pradesh-2026, including the Urban Local Body polling stated to be scheduled for 01.11.2026, is warranted by the verified circumstances B) If the verified circumstances and applicable law justify such action, issue appropriate consequential directions concerning postponement or rescheduling of the affected polls, having due regard to the constitutional obligation to conduct elections and the limitations upon judicial interference in an ongoing election C) Direct the competent authorities to undertake an urgent assessment of the safety and accessibility of polling stations in the affected areas and to take appropriate lawful measures for the protection of voters and election personnel

3. The grievance of the petitioner is against the inaction of the State Election Commission in taking appropriate decision on the representation of the petitioner dated 28.10.2026. The said representation was filed seeking postponement of the scheduled elections to the Urban Local Bodies, in view of the severe cyclone which had resulted in disruption of normal life involving evacuation of the residents, disruption transmission of electricity and so also the essential services.

4. The learned counsel for the petitioner argues that without assessing the ground level realities, with reference to the cyclone conditions, the SEC is proceeding further with conducting of elections to ULBs as scheduled. In such prevailing circumstances, the SEC should take a decision to postpone the elections.

5. When the matter is taken up for consideration today, the learned Standing Counsel Sri Ashwani Kumar, has placed on record a copy of the instructions received by him in the case. The same are placed on

record. A perusal of the same reflects that the State Election Commission has been in touch with the concerned District Collectors and has been reviewing the situation. The SEC has further been informed that the cyclone impact has substantially been reduced, waterlogging and debris have largely been cleared, and electricity supply has been restored in most of the affected Urban Local Bodies. A review meeting with the concerned District Collectors and Superintendents of Police is also being scheduled to assess the situation and obtain specific reports wherever difficulties persist. It is further stated that partially affected Municipal Corporations like Rajamahendravaram, Kakinada and Srikakulam are not in the first phase of Polling. It is further stated that blanket postponement of elections is not contemplated. However, postponement of elections would be considered on locations-specific basis.

6. It is further stated that the representation of the petitioner dated 28.10.2026 was considered and orders were passed on 29.10.2026 itself and disposing of the representation dated 28.10.2026 declining to postpone the election schedule and the same was communicated to the authorized person of Bharata Chaitanya Yuvajana Party. In the said regard, a copy of the order of State Election Commission dated 29.10.2026 has been placed before the Court and the same is taken on record.

7. It is further stated that a press note was issued on 28.10.20206 stating that the current situation would not call for postponement of polling to ULBs. In the said regard, a copy of the press note dated 28.10.2026 has been placed before the Court and the same is taken on record.

8. Having regard to the above and further having regard to the fact that, since the representation of the petitioner was considered and disposed of, no further orders are required to be passed in the instant writ petition.

9. With the above observation, the Writ Petition is disposed of. No costs.

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

JUSTICE KIRANMAYEE MANDAVA

Date: 30.10.2026

MVK

THE HONOURABLE SMT JUSTICE KIRANMAYEE MANDAVA

WRIT PETITION NO: 31675 OF 2026

Date: 30.10.2026

MVK