APHC010586652026

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

WEDNESDAY, THE 4th DAY OF NOVEMBER 2026

PRESENT

THE HONOURABLE SMT JUSTICE KIRANMAYEE MANDAVA

WRIT PETITION NO: 32170/2026

Between:

1. DUVVURU SATHISH,, S/O. LATE SIVARAMI REDDY, AGED ABOUT 53 YEARS, OCC SELF EMPLOYEE, R/O. KAPPAGUNTA KANDRIGA VILLAGE, PELLAKURU MANDAL, TIRUPATI DISTRICT, ANDHRA PRADESH.

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP BY ITS PRINCIPAL SECRETARY TO GOVERNMENT, PANCHAYAT RAJ AND RURAL DEVELOPMENT DEPARTMENT, SECRETARIAT BUILDING, VELAGAPUDI, GUNTUR DISTRICT-52238.
2. THE A P STATE ELECTION COMMISSION, REP BY ITS SECRETARY, NEW HODS BUILDING, M.G. ROAD, VIJAYAWADA, NTR DISTRICT-520010.
3. THE RETURNING OFFICER CUM CHIEF EXECUTUTIVE OFFICER, ZILLA PRAJA PARISHAD, TIRUPATHI DISTRICT, TIRUPATI, ANDHRA PRADESH.
4. THE DISTRICT COLLECTOR AND DISTRICT ELECTION AUTHORITY, TIRUPATI DISTRICT, TIRUPATI , ANDHRA PRADESH.
5. THE SUPERINTENDENT OF POLICE, TIRUPATI DISTRICT, TIRUPATI , ANDHRA PRADESH.

...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 toissue an appropriate writ, order or direction, more particularly one in the nature of a Writ of Mandamus, declaring the inaction of the respondents in considering and acting upon the petitioners representation dated 31.10 2026, seeking preventive measures to ensure a free, fair, peaceful and impartial election to the Pellakur ZPTC constituency, Tirupati District, scheduled to be held on 05.11.2026, as arbitrary, illegal and contrary to their statutory duties and consequently direct the respondents to a. Consider the petitioners representation dated ..2026 and take appropriate action in accordance with law b. Take all necessary preventive measures to ensure that the election is conducted freely, fairly, peacefully and impartially c. Provide adequate and impartial police security at the polling stations and other vulnerable locations, as warranted by the assessment of the competent authorities d. Prevent booth capturing, electoral rigging, voter intimidation, obstruction of voters and other unlawful electoral practices, in accordance with law e. Ensure that all eligible voters are permitted to exercise their franchise freely and without fear, coercion or unlawful interference, irrespective of their political preference and Pass such

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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 may be pleased to direct the respondents to take immediate preventive measures, in accordance with law, including adequate and impartial security arrangements at vulnerable polling stations in the Pellakur ZPTC constituency, Tirupati District, to ensure that the election scheduled for 05.11.2026 is conducted peacefully and that every eligible voter is allowed to exercise his or her franchise freely, and pass such

Counsel for the Petitioner:

1. B SESIBUSHAN RAO

Counsel for the Respondent(S):

1. GP FOR PANCHAYAT RAJ RURAL DEV

The Court made the following:

THE HONOURABLE SMT JUSTICE KIRANMAYEE MANDAVA

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ORDER:-

Heard Sri B. Sesibushan Rao, learned counsel for the petitioner; learned Assistant Government Pleader for Home, appearing for respondent No.5; and Sri N. Ashwini Kumar, learned Standing Counsel for the State Election Commission appearing for respondent No.2.

2. Challenging the inaction of the respondents in considering the representation of the petitioner dated 31.10.2026, seeking preventive measures to ensure a free, fair, peaceful and impartial election to the Pellakur ZPTC constituency, Tirupati District, scheduled to be held on 05.11.2026, the instant Writ Petition has been filed.

3. It is contended that the petitioner is the election agent of the contesting candidate, Kamireddy Satyanarayana Reddy, who is presently in judicial custody. Therefore, the petitioner submitted a representation dated 31.10.2026 to the election authorities, requesting them to issue necessary instructions to the officers concerned, before commencement of the polling, to ensure that the election is conducted in a free, fair and peaceful manner. In the said representation, the petitioner also sought additional security and protection and requested that necessary directions be issued to the police officers not to prevent the election agents of the contesting candidates from discharging their legitimate election related duties.

4. In this regard, the learned counsel for the petitioner places reliance on the judgment of the Hon'ble Supreme Court in SLP (C) No.37476 of 2026, dated 27.10.2026, wherein the Hon'ble Apex Court has issued certain directions to the election authorities to be followed while receiving nomination papers and scrutinizing the nominations of the respective contesting candidates.

5. In the light of the said directions issued by the Hon'ble Supreme Court, the learned counsel for the petitioner contends that similar measures are required to be implemented by the State Election Commission at the time of the poll as well and, accordingly, seeks a direction to the State Election Commission to ensure implementation of the said measures during the poll.

6. The learned Standing Counsel, Sri N. Ashwini Kumar, appearing for respondent No.2, submits that the State Election Commission has already issued a Circular dated 01.11.2026, instructing all the officers concerned to ensure compliance with the directions of the Hon'ble Supreme Court to ensure that the poll process is conducted in a free, fair and impartial manner, without giving scope for any complaints.

7. Having regard to the contentions advanced and having regard to the Circular dated 01.11.2026 issued by the State Election Commission, this Court deems it appropriate to dispose of the Writ Petition, directing the respondents to ensure that the elections are conducted in a free, and fair manner. It is also incumbent to ensure that law enforcement and maintenance

of public order shall remain in tandem by taking all necessary precautionary and preventive measures, in accordance with law, and the directions issued by the Hon'ble Supreme Court in SLP (C) No.37476 of 2026, dated 27.10.2026, referred *supra*.

8. It is further directed that the election authorities and the Superintendent of Police concerned shall ensure that the election agents of the contesting candidates in respect of the Pellakur ZPTC Constituency, Tirupati District, are not prevented or obstructed from entering the respective polling booths, subject to production of the identity cards issued by the competent election authority, permitting them to discharge their duties as election agents.

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

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

JUSTICE KIRANMAYEE MANDAVA

Date: 04.11.2026
MVK

THE HONOURABLE SMT JUSTICE KIRANMAYEE MANDAVA

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Date:04.11.2026

MVK