APHC010600632026

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI **[3504]**
(Special Original Jurisdiction)

THURSDAY, THE 12th DAY OF NOVEMBER 2026

PRESENT

THE HONOURABLE SRI JUSTICE MAHESWARA RAO KUNCHEAM

WRIT PETITION NO: 32873/2026

Between:

1. KATTA SUBBA RAO, S/O. LATE KATTA PRASAD RAO, AGED ABOUT 54 YEARS, RIO. ANGALUR VILLAGE, IPUR MANDAL, PALNADU DISTRICT, ANDHRA PRADESH

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY, HOME DEPARTMENT, SECRETARIAT, VELAGAPUDI, AMARAVATI.-522238
2. THE INSPECTOR GENERAL OF POLICE, GUNTUR REGION, ANDHRA PRADESH.-522004
3. THE SUPERINTENDENT OF POLICE, PALNADU DISTRICT, ANDHRA PRADESH.-522004
4. THE STATION HOUSE OFFICER, IPURU P.S., 1PURU MANDAL, PALNADU DISTRICT, ANDHRA PRADESH- 522658

...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 to issue an appropriate Writ, Order or Direction, more particularly one in the nature of a Writ of Mandamus, declaring the action of the respondent no.3 in not providing police protection to the petitioner by considering the petitioner's representation dated 06-11-2026, seeking police protection in view of the threats to his life and safety from political rivals, as arbitrary, illegal, unreasonable and violative of Article 14, 21 of the Constitution of India, and

consequently direct the respondent no.3 to provide adequate personal police protection to the petitioner's life and safety from the commencement of the nomination process until the completion of the Gram Panchayat elections and declaration of results, by considering the representation dated 06-11-2026 and to 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 3 and 4 herein to immediately provide necessary interim police protection to the petitioner, so as to enable him to participate in the forthcoming Phase-I Gram Panchayat elections of Angalur Village without fear, threat or intimidation, pending disposal of the above writ petition and to pass such

Counsel for the Petitioner:

1. R V KOTESWARA PRASAD

Counsel for the Respondent(S):

1. GP FOR HOME

THE HONOURABLE SRI JUSTICE MAHESWARA RAO KUNCHEAM

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The Court made the following Order:

Instant Writ Petition has been filed under Article 226 of the Constitution of India seeking the following relief:

> *"issue Writ, Order or Direction, more particularly one in the nature of a Writ of Mandamus, declaring the action of the respondent No.3 in not providing police protection the petitioner by considering the petitioner's representation dated6-11-2026, seeking police protection in view of the threats to his life and safety from political rivals, as arbitrary, illegal, unreasonable and violative of Article 14, 21 of the Constitution of India, and consequently direct the respondent No.3 to provide adequate personal police protection to the petitioner's life and safety from the commencement of the nomination process until the completion of the Gram Panchayat elections and declaration of results, by considering the representation dated 06-11-2026 and pass".*

2. Learned counsel for the petitioners submits that the petitioner is contesting candidate for Sarpanch elections at Angalur Village, Ipur Mandal, Palnadu District. He submits that the petitioner is apprehending irregularities by unruly elements.

3. At the outset, taking note that the right to contest is a statutory right, as expressed by the Apex Court, this Court is inclined to *suo motu* implead the Andhra Pradesh State Election Commission as a party respondent to the instant Writ Petition. As such, Registry is directed to carry out necessary amendments.

4. Conversely, learned Assistant Government Pleader states that State Election Commissioner *vide* Order No.1470/SEC-F1/2026 dated 01.11.2026 directed all the Collectors & DEAs/Commissioners of Police, Superintendents of Police and other concerned officers to ensure conduct of elections in a free, fair and transparent manner by strictly following the directions of Hon'ble Supreme Court of India dated 27.10.2026 in SLP(C) No.37476 of 2026.

5. Copy of Order No.1470/SEC-F1/2026 dated 01.11.2026 is made part of the record.

6. Learned counsel for the petitioner fairly states that though the petition is filed seeking protection for the petitioner, election agents and supporters too, but as of now, he is not pressing the instant petition insofar as election agents and supporters and prays this Court to pass a similar order to that of the Order of this Court dated 03.11.2026 in WP No.32226 of 2026.

7. Learned Assistant Government Pleader for Home submits that the issue involved in the instant *lis* is squarely covered by the Order of this Court dated 03.11.2026 in WP No.32226 of 2026.

8. Heard learned counsel for the petitioners and Sri Ajay Babu, learned Assistant Government Pleader for Home, and perused the entire material available on record.

9. Recently, the Hon'ble Supreme Court in ***Yuvajana Sramika Rythu Congress Party Vs. The State of Andhra Pradesh & Others***[1], held as under:

> *"(i) The Commission shall take all necessary steps to allay the apprehensions of political parties and prospective candidates and ensure that they have a free and fair chance to contest such elections.*
> *(ii) The Commission shall ensure that its directions vide Order No.840/SEC-F1/2026 dated 16.10.2026 for the ULBs shall apply to elections in other local bodies for effective participation in a free and fair election.*
> *(iii) Wherever representations are made before the Commission by political parties and/or their candidates alleging breach of law and order impeding the filing of nominations, the Commission shall consider such representations and, if satisfied, shall take 11 appropriate remedial measures, including extending the last date for filing nominations and arranging for receipt of nominations before the District Collector at the District necessary. Headquarters concerned, wherever necessary.*
> *(iv) In the event there is obstruction resulting in any candidate not being able to file nomination, such candidate would be entitled to file an election petition in accordance with law.*
> *(v) The Director General of Police shall ensure due compliance with these directions as well as the directions issued by the Commission, provide adequate police bandobast at the nomination centres to ensure smooth and unhindered filing of nominations by all prospective candidates in the ensuing elections to all local bodies, and maintain law and order throughout the election process.*
> *(vi) Videography/CCTV camera coverage shall be arranged at the centres receiving nominations, the offices of the Returning Officers, the polling stations, the strong rooms and the counting centres. The footage shall be preserved till the expiry of the period of limitation for filing an election petition and, where one is filed, till its final disposal. It shall be made available to the Election Tribunal upon requisition and to any party to such petition on application."*

10. Considering the facts and circumstances of the case and taking note of dictum of the Apex Court in ***Yuvajana Sramika Rythu Congress Party*** referred to above and in view of the Order of this Court dated 03.11.2026 in WP No.32226 of 2026, this Court deems it appropriate to dispose of the

[1] SLP(C) No.37476 of 2026 dated 24.10.2026

instant petition, directing the respondents to consider the petitioner's representation dated 06.11.2026 and pass appropriate orders, as expeditiously as possible, in accordance with the law.

11. Accordingly, the Writ Petition is disposed of. There shall be no order as to costs.

12. Registry is directed to append a copy of the Order of this Court dated 03.11.2026 in WP No.32226 of 2026 to this Order.

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

JUSTICE MAHESWARA RAO KUNCHEAM

Date: 12.11.2026
Note: Issue CC by 13.11.2026
B/o.
vnb

THE HONOURABLE SRI JUSTICE MAHESWARA RAO KUNCHEAM

WRIT PETITION NO: 32873 of 2026

Date: 12.11.2026

Note: Issue CC by 13.11.2026
B/o.
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