APHC010605552026

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI [3311]
(Special Original Jurisdiction)

Friday, the 13th day of November, 2026

Present

Honourable Ms. Justice B. S. Bhanumathi

Writ Petition No: 33113 of 2026

Between:

Moka Lakshmi Nageswaramma **... Petitioner**

and

The State of Andhra Pradesh and others **... Respondents**

Counsel for the petitioner:

1. K. Rama Koteswara Rao

Counsel for the respondents:

1. G.P. for Panchayat Raj Rural Dev.

The Court made the following:

ORDER:

This writ petition is filed to direct the respondents Nos.3 to 11 to provide more police force of non - local and CC (Closed Circuit) Cameras at the time of elections, as well as counting of the votes of Kothapalem Gram Panchayath, Nizampatnam Mandal, Bapatla District to be held on 26.11.2026 in the Phase-I of the elections to conduct the elections in the fair and fearless manner.

02. The case of the petitioner is, stated briefly, as follows:

a. The petitioner is a voter of Kothapalem Gram Panchayath, Nizampatnam Mandal, Bapatla District and intends to contest for the post of Sarpanch of the village. The elections for the entire Mandal of Nizampatnam in Phase – I is scheduled on 26.11.2026.

b. On 05.11.2026, when elections were held to the posts of M.P.T.Cs and Z.P.T.Cs, during the recent past in 2026, the ruling party leaders in Nizampatnam Mandal prevented the contesting candidates to file their nominations by giving life threats and attackings. Therefore, most of the elections concluded unanimously.

c. At the time of M.P.T.Cs and Z.P.T.Cs elections, the election authorities did not open C.C. cameras at the poling stations, though they were installed due to the legal political pressure. Therefore, this writ petition was filed to provide more police protection of non-local cadre at the time of filing nominations for the posts of Sarpanch and ward members and also at the time of voting and counting.

03. The learned counsel for the petitioner submitted that as in the writ petition and further placed reliance on the interim direction of the Supreme Court in **Yuvajana Sramika Rythy Congress Party Vs. The State of Andhra Pradesh and others** in SLP (C) No.37476 of

2026, dated 21.10.2026, wherein at paragraph Nos. 16 & 17, it is held as follows:

> “16. These authorities above unequivocally state while constitutional courts would ordinarily not interfere with election process, but their hands are not tied when appropriate interventions are necessary to ensure that elections are conducted in a free and fair manner and are not marred by extra-constitutional or illegal means, for eg. muscle power.
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> 17. Keeping in mind these propositions governing election law and the materials in the form of representations supported by documents/electronic evidence, we are of the prima facie opinion that the petitioner has made out a case to pass the following directions:
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> (i) The State Election Commission shall postpone the publication of the final list of candidates till 25.10.2026. In the meantime, the State Election Commission shall consider the representations made by petitioner party and/or various candidates, including evidentiary material as well as electronic evidence placed before it and take a decision to extend the last date of filing nominations in urban local bodies wherever it is of the view that candidates were unable to file their nominations due to law and order situation. Such decision shall be taken by the Election Commission positively by tomorrow and wherever the Election Commission chooses to extend the time, such time shall be extended not less than 48 hours from the time of publishing such decision by amending the election notification.
>
> (ii) The Commission shall also make additional arrangements to file nominations at the District Headquarters before the District Collector, wherever necessary.

(iii) In addition to the aforesaid, State Election Commission shall take all necessary steps to remove apprehensions from the mind of the petitioner and prospective candidates that they have a free and fair chance of participating in the election by filing their nominations. The Election Commission shall submit its compliance report on the adjourned date.

(iv) The Director General of Police shall take all necessary steps to maintain police bandobast, CCTV coverage at nomination centers and provide necessary protection to candidates who would come to the centres concerned to file their nominations and file compliance report before this Court on the adjourned date."

04. Sri K. Ajay Kumar, learned counsel, representing the learned Standing Counsel for the Andhra Pradesh State Election Commission / respondent No. 3 submitted that pursuant to the final order of the Supreme Court in the said case, on 27.10.2026, several directions were given, and the respondent No. 3 issued instructions on 31.10.2026 vide Order No. 1470 / SEC – F1 / 2026, dated 31.10.2026, and further orders on 01.11.2026, duly complying the directions and therefore, there is no apprehension of the petitioner is unfolded. He further submitted that the direction of the Hon'ble Supreme Court would be duly implemented irrespective of the apprehension of the petitioner.

05. Paragraph No. 13 of final order dated 27.10.2026 in **Yuvajana Sramika Rythy Congress Party Vs. The State of Andhra Pradesh and others** (supra), reads as follows:

"Learned senior counsel for the appellant also submitted that candidates in the other local body elections, namely, the Mandal and Zilla Parishad Territorial Constituencies and the Gram

Panchayats in the State, are facing similar difficulties. To do complete justice, we make the following directions in respect of the elections to all local bodies in the State:

(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 appropriate remedial measures, including extending the last date for filing nominations and arranging for receipt of nominations before the District Collector at the District 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."

06. Therefore, the learned counsel for the petitioner requested to dispose of the writ petition with appropriate directions.

07. As such, the writ petition is disposed of directing the respondents Nos. 3 & 6 to strictly implement the directions of the Supreme Court in noted above and the order dated 31.10.2026 and 01.11.2026 issued by the respondent No.3 without any deviation.

There shall be no order as to costs.

Consequently, miscellaneous petitions, if any, pending in this writ petition shall stand closed.

JUSTICE B.S. BHANUMATHI

Date: 13.11.2026

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