APHC010609712026

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

TUESDAY, THE 24th DAY OF NOVEMBER 2026

PRESENT

THE HONOURABLE SMT JUSTICE KIRANMAYEE MANDAVA

WRIT PETITION NO: 33350 OF 2026

Between:

1. CHIGURUPATI KUMARA SWAMY, S/O KUTUMABAIAH, AGE 59 YEARS, OCC BUSINESS, RIO D.NO.2-167, SRI NAGAR COLONY, GANNAVARAM VILLAGE AND MANDAL, KRISHNA DISTRICT, AP 521101.

...PETITIONER

AND

1. ANDHRA PRADESH STATE ELECTION COMMISSION, REP. BY ITS SECRETARY, 1ST FLOOR, NEW HODS BUILDING, OPP INDIRA GANDHI MUNICIPAL STADIUM, M.G ROAD, VIJAYAWADA, NTR DISTRICT, A.P 520010
2. THE STATE OF ANDHRA PRADESH, REP. BY IT'S PRINCIPAL SECRETARY, PANCHAYAT RAJ AND RURAL DEVELOPMENT, SECRETARIAT, VELAGAPUDI, GUNTUR DISTRICT, ANDHRA PRADESH - 522503.
3. THE DISTRICT ELECTION AUTHORITY/DISTRICT COLLECTOR, KRISHNA DISTRICT, MACHILIPATNAM, A.P - 521002
4. THE RETURNING OFFICER, 2ND ORDINARY ELECTIONS 2026 AND TAHSILDAR, GANNAVARAM MANDAL.- 521101
5. ANAGANI RAVI, S/O KAMESWARARAO, AGE MAJOR, R/O D.NO.2-9, ALLAPURAM VILLAGE, GANNAVARAM MANDAL, KRISHNA DISTRICT, AP 521101.

...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 a writ, order or direction more particularly in the nature of Writ of Mandamus Calling for the entire records including videography of the

entire electoral process and all other material in the custody of the 4th respondent relating to election of Gannavaram ZPTC Territorial Constituency and in connection with the impugned order of the 4th respondent vide in Rc.No./Elections 60/2026/B dated 07.11.2026 for examining the legality and validity thereof, Declaring the order of the 4th respondent vide in Rc.No./Elections 60/2026/B dated 07.11.2026, wherein he refused to recounting of polled votes/ballot papers for the Gannavaram ZPTC Territorial Constituency was held on 07.11.2026 at the Designated Counting Hall at VS St. John School, Gannavaram, without considered the contents of one of the written objections given by the petitioner dated 07.11.2026 by stating that recounting of all ballot papers is general and unsupported, and is rejected as unreasonable, and further not taken into consideration of other representations dated 07.11.2026 and failed to dispose of the same on the same day and thereafter issued the final result sheet (Form XXVI) as well as Declaration of Result of Election in favour of the 5th respondent is illegal, arbitrary, contrary to the Rule 60 of Andhra Pradesh Panchayat Raj (Conduct of Elections) Rules, 2006 and instructions issued in connection with the Conduct of Election Guidelines and violation of Article 14 and 21 of the Constitution of India, beside violation of Principles of Natural Justice, And pass

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 pleased to pass an interim order that to 6rect the 4th respondent to conduct recounting of polled votes/ ballot papers for the Gannavaram ZPTC Territorial Constituency by suspending the impunged order vide in Rc.No./Elections 60/2026/B dated 07.11.2026 by the 4th respondent and to pass

Counsel for the Petitioner:

1. NAMRATHA CHOUDARY P

Counsel for the Respondent(S):

1. GP FOR PANCHAYAT RAJ RURAL DEV
2. GP FOR REVENUE

THE HONOURABLE SMT JUSTICE KIRANMAYEE MANDAVA

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ORDER:

Heard Ms. P.Namratha Choudary, learned counsel for the petitioner, learned Assistant Government Pleader for Panchayat Raj and Rural Development and Sri N.Ashwani Kumar, learned Standing Counsel for State Election Commission appearing for the respondents.

2. The present writ petition is filed for the following relief:

> "……. (a) Calling for the entire records including videography of the entire electoral process and all other material in the custody of the 4th respondent relating to election of Gannavaram ZPTC Territorial Constituency and in connection with the impugned order of the 4th respondent vide in Rc.No./Elections 60/2026/B dated 07.11.2026 for examining the legality and validity thereof,
>
> (b) Declaring the order of the 4th respondent vide in Rc.No./Elections 60/2026/B dated 07.11.2026, wherein he refused to recounting of polled votes/ballot papers for the Gannavaram ZPTC Territorial Constituency was held on 07.11.2026 at the Designated Counting Hall at VS St. John School, Gannavaram, without considered the contents of one of the written objections given by the petitioner dated 07.11.2026 by stating that recounting of all ballot papers is general and unsupported, and is rejected as unreasonable, and further not taken into consideration of other representations dated 07.11.2026 and failed to dispose of the same on the same day and thereafter issued the final result sheet (Form XXVI) as well as Declaration of Result of Election in favour of the 5th respondent is illegal, arbitrary, contrary to the Rule 60 of Andhra Pradesh Panchayat Raj (Conduct of Elections) Rules, 2006 and instructions issued in connection with the Conduct of Election Guidelines and violation of Article 14 and 21 of the Constitution of India, beside violation of Principles of Natural Justice, and pass….."

3. Learned counsel for the petitioner placing reliance on the judgment of the Hon'ble Supreme Court in ***Kuldeep Kumar v. U.T. Chandigarh***[1], submits that, in view of the allegations of malpractice and other irregularities in the conduct of elections, this Court, in exercise of its jurisdiction under Article 226 of the Constitution of India, may call for the relevant election material and examine the grievance raised by the petitioner.

4. Having considered the contentions advanced, this Court is of the view that, as the elections have already been concluded and the elected candidate has been duly declared, this Court is not inclined to entertain the writ petition. The petitioner is at liberty to avail remedies as are available under law by approaching the Election Tribunal. Needless to observe that the election authorities shall abide by the Circulars/instructions dated 01.11.2026 and 13.11.2026 issued by the State Election Commission, with respect to preserving CCTV footage etc.,.

5. With the above observations, the writ petition is disposed of. There shall be no order as to costs.

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

JUSTICE KIRANMAYEE MANDAVA

Dated 24.11.2026
BSK

[1] (2024) 3 SCC 526

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Dated 24.11.2026
BSK

HIGH COURT OF ANDHRA PRADESH :: AMARAVATI

MAIN CASE: WRIT PETITION NO: 33350 OF 2026

PROCEEDING SHEET

Sl. No.	DATE	ORDER	OFFICE NOTE
02.	24.11.2026	**KM,J** The Writ Petition is disposed of. (Vide Separate Order) **KM, J** BSK	