APHC010610502026

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

THURSDAY, THE 19th DAY OF NOVEMBER 2026

PRESENT

THE HONOURABLE SMT JUSTICE KIRANMAYEE MANDAVA

WRIT PETITION NO: 33584/2026

Between:

1. KATUKURI DAVID,, S/O. SUBBAIAH, AGED 62 YEARS, OCC CULTIVATION, RIO. D.NO.5-29A, EDUMUDI VILLAGE, NAGULUPPALAPADU MANDAL, PRAKASAM DISTRICT.

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP.BY ITS PRINCIPAL SECRETARY, PANCHAYAT RAJ AND RURAL DEVELOPMENT DEPARTMENT, SECRETARIAT, VELAGAPUDI, AMARAVATI, GUNTUR DISTRICT - 522237.
2. THE ANDHRA PRADESH STATE ELECTION COMMISSION, REP. BY ITS SECRETARY, 1ST FLOOR, NEW HOD BUILDING, M.G. ROAD, VIJAYAWADA, NTR DISTRICT-520010.
3. THE COMMISSIONER, PANCHAYAT RAJ AND RURAL DEVELOPMENT DEPARTMENT, GOVERNMENT OF ANDHRA PRADESH, TADEPALLI, GUNTUR DISTRICT - 522501.
4. THE DISTRICT ELECTION OFFICERCUMDISTRICT COLLECTOR, PRAKASAM DISTRICT AT ONGOLE - 523001.
5. THE DISTRICT PANCHAYAT OFFICER, PRAKASAM DISTRICT AT ONGOLE --523001.
6. THE MANDAL PARISHAD DEVELOPMENT OFFICER, NAGULUPPALAPADU MANDAL, PRAKASAM DISTRICT, PIN CODE - 523183.
7. THE BOOTH LEVEL OFFICER BLO, EDUMUDI VILLAGE, NAGULUPPALAPADU MANDAL, PRAKASAM DISTRICT - 523186. PETITIONER

8. THE EDUMUDI GRAM PANCHAYAT, REP. BY ITS EXECUTIVE AUTHORITY-CUM-PANCHAYAT SECRETARY, EDUMUDI VILLAGE, NAGULUPPALAPADU MANDAL, PRAKASAM DISTRICT - 523186.

...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 a writ, order or direction more particularly one in the nature of WRIT OF MANDAMUS declaring the action of respondents in not correcting / rectifying the discrepancies in the electoral rolls of 8th respondent Edumudi Gram Panchayat, inspite of the State Election Commission having issued / published the Electoral Roll of the Edumudi Gram Panchayat for conducting Panchayat General Elections and in spite of PGRS application vide Receipt No.28064 dated 06.07.2026, as illegal, irregular, irrational, violative of provisions of the Andhra Pradesh Panchayat Raj Act, 1994 and the Andhra Pradesh Panchayat Raj (Preparation and Publication of Electoral Rolls) Rules, 2000 and offends Articles 14, 19 and 243C to 243K of Constitution of India and consequently direct the respondents to forthwith correct, rearrange and republish the electoral rolls of 8th respondent Edumudi Gram Panchayat correctly ward-wise

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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 issue a writ, order or direction more particularly one in the nature of WRIT OF MANDAMUS declaring the action of respondents in not correcting / rectifying the discrepancies in the electoral rolls of 8th respondent Edumudi Gram Panchayat, inspite of the State Election Commission having issued / published the Electoral Roll of the Edumudi Gram Panchayat for conducting Panchayat General Elections and in spite of PGRS application vide Receipt No.28064 dated 06.07.2026, as illegal, irregular, irrational, violative of provisions of the Andhra Pradesh Panchayat Raj Act, 1994 and the Andhra Pradesh Panchayat Raj (Preparation and Publication of Electoral Rolls) Rules, 2000 and offends Articles 14, 19 and 243C to 243K of Constitution of India and consequently direct the respondents to forthwith correct, rearrange and republish the electoral rolls of 8th respondent Edumudi Gram Panchayat correctly ward-wise

Counsel for the Petitioner:

1. PALA KARTHI KIRAN

Counsel for the Respondent(S):

1. GP FOR PANCHAYAT RAJ RURAL DEV

The Court made the following:

ORDER:-

Heard Sri Pala Karthi Kiran, learned counsel for the petitioner, learned Government Pleader for Panchayat Raj and Rural Development appearing for respondent Nos.1, 3, 5 and 7,Sri N.Ashwani Kumar, learned Standing Counsel appearing for respondent Nos.2 and 4 and Sri Sasanka Bhuvanagiri, learned Standing Counsel appearing for respondent Nos.6 and 8.

2. The grievance of the petitioner in the instant writ petition is against the action of respondents in not correcting/rectifying the discrepancies that have been pointed out by the petitioner vide PGRS application dated 06.07.2026 with regard to the publication of name of the petitioner in different ward.

3. It is contended by learned counsel for the petitioner that name of the petitioner is published in the electoral roll of Ward No. 8 instead of Ward No. 1, of the Edumudi Gram Panchayat. In the said regard, the petitioner and the similarly placed villagers of the said Gram Panchayat submitted PGRS application dated 06.07.2026 to the respondent authorities. It is further contended that the said application has not been considered.

4. When the matter has been taken up for consideration, learned Standing Counsel appearing for the SEC has placed before the Court a copy of the Notification issued by the SEC for conducting elections in the Phase-III to the Edumudi Gram Panchayat.

5. Learned counsel for the petitioner places reliance on the judgment of the Division Bench of this Court, in W.A(SR).No.48241 of 2026, in respect of his contention. The Division Bench has observed that:

> *"43. The aforesaid prayer shows that the writ petition was filed not to impede the election process but to advance the same after considering the objections representation filed and doing the needful. By not considering the objections the Commission has failed to discharge its statutory duties for advancement of the election in a fair and transparent manner.*
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> *44. The writ petition was maintainable. It was not for restraining the election or interfering the process so as to stall the election but for its advancement which is within the power and jurisdiction under Article 226 of the Constitution of India. The order has been passed as noted above, considering the peculiarity of the case, as there was a common list of the Gram Panchayats which would result in utter breach of democratic process."*

6. Considered the submissions.

7. The Rule 8 (2)(a) of the Andhra Pradesh Panchayat Raj (Conduct of Elections) Rules, 2006 (for short, "the Rules, 2006"), provides that a contesting candidate for the office of Sarpanch of Gram Panchayat shall be a person whose name is registered in the electoral roll for that Gram Panchayat. Rule 8 (3) of the Rules, 2006, further provides that a candidate may file nominations for more than one ward, but shall withdraw his nominations to all but one ward, as the case may be office choice before the date fixed for withdrawal of candidature. Having regard to the same, it would not disqualify a person from contesting to the office of Sarpanch or Ward Member in the

case of Gram Panchayats, if his name is recorded in the different ward number than the one relating to his actual ward number, mere reflecting of name in a different ward of the same village will not cause any hindrance to the petitioner, if at all he is proposing to contest to the office, similarly for casting his vote. Having regard to the above the publication of name of the petitioner in a ward number, of the same Gram Panchayat, different from the actual ward number of his place of residence, would not cause any prejudice to the petitioner, for contesting in the scheduled elections.

8. Further, the provisions of Section 11 of the Andhra Pradesh Panchayat Raj Act,1994 also provides that up to the date of issuance of election notification any amendments made in the electoral roll up to the date of election notification shall be carried out in the electoral roll of the Gram Panchayat. Having regard to the same, at this juncture no direction for rectification of the ward electoral rolls can be issued having regard to the fact the election notification has already been also been issued. However, it is left open to the respondent authorities, for passing appropriate orders on the PGRS application filed by the petitioner stated to have been pending with them.

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

JUSTICE KIRANMAYEE MANDAVA

Dated: 19.11.2026

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THE HONOURABLE SMT JUSTICE KIRANMAYEE MANDAVA

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Dated: 19.11.2026
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