APHC010617472026

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

WEDNESDAY, THE 25th DAY OF NOVEMBER 2026

PRESENT

THE HONOURABLE SMT JUSTICE KIRANMAYEE MANDAVA

WRIT PETITION NO: 33877 OF 2026

Between:

1. NETHALA HARI BABU, S/O. LATE KONDAYYA, AGED ABOUT 52 YEARS, OCC CULTIVATION, RIO. D. NO. 7-6-40, RAMALAYAM VEEDHI, SAMALKOTA MANDAL, KAKINADA DISTRICT 533440.

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP BY ITS PRINCIPAL SECRETARY, SOCIAL WELFARE DEPARTMENT, SECRETARIAT, VELAGAPUDI, AMARAVATHI, GUNTUR DISTRICT - 522237.
2. THE STATE OF ANDHRA PRADESH, REP BY ITS PRINCIPAL SECRETARY, MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT DEPARTMENT, SECRETARIAT, VELAGAPUDI, AMARAVATHI, GUNTUR DISTRICT - 522237.
3. THE DISTRICT COLLECTOR, KAKINADA, KAKINADA DISTRICT 533001.
4. THE TAHSILDAR, SAMALKOTA MANDAL, KAKINADA DISTRICT 533440.
5. THE RETURNING OFFICERCUMCEO, (N. SURYA CHAKRADHAR RAO), SAMALKOTA MUNICIPALITY, KAKINADA DISTRICT - 533440.
6. KALLA RAVINDRA BABU, S/O. KALLA NARAYANA MURTHY, AGED ABOUT 43 YEARS, RIO. D. NO. 7-5-16, BALUSULA PETA, SAMALKOTA MANDAL, KAKINADA DISTRICT 533440.

...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 Writ of Mandamus declaring the in-action of the Respondent No. 3 to 5 not considering the objections raised by the petitioner relating to the caste of the 6th respondent by producing the relevant documents evidence as BC-C, ignoring the those complaints dated 19.10.2026 as illegal, arbitrary, contrary to the provisions under the Act, 1993 and violation of the legal duty cast on them and consequentially immediately initiate the action against the 6th respondent and declaring the winning of the 13th Ward Counsellor of the Samalkota Municipality, Kakinada District and pass

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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 pleased to issue direction to the 3rd and 4th respondents to immediately initiate the action against the 6th respondent for stopping of the swearing ceremony held on 23.11.2026 in Samalkota Municipality, Kakinada District, pending disposal of the writ Petition and pass

Counsel for the Petitioner:

1. T N M RANGA RAO

Counsel for the Respondent(S):

1. GP FOR REVENUE
2. GP FOR IRRI AND CAD
3. GP MUNCIPAL ADMN AND URBAN DEV AP

THE HONOURABLE SMT JUSTICE KIRANMAYEE MANDAVA

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ORDER:

Heard Sri T N M Ranga Rao, learned counsel for the petitioner, learned Assistant Government Pleader for Municipal Administration and Urban Development, learned Assistant Government Pleader for Revenue, learned Assistant Government Pleader for Irrigation & CAD and Sri N.Ashwani Kumar, learned Standing Counsel for State Election Commission appearing for the respondents.

2. The grievance of the petitioner in the instant writ petition is against the action of respondent Nos.3 to 5 in not considering the objections raised by the petitioner against the caste certificate issued in favour of respondent No.6.

3. The petitioner contends that he intending to contest the election to the office of Ward Member of Samalkota Municipality, Kakinada District, he has submitted his nomination forms. It is further contended that respondent No.6 has produced a fake caste certificate claiming that he belongs to the BC-C community. The petitioner has raised objections to the said claim of the respondent No.6. Despite the objections raised by the petitioner, and respondent No.6 was allowed to contest the election in the seat reserved for the BC-C community. Learned counsel for the petitioner submits that on the basis of the alleged fake caste certificate, respondent No.6 is contesting for the office of Ward Member of Samalkota Municipality, Kakinada District.

4. Learned counsel for the petitioner submits that, in this regard, the District Collector may be directed to conduct an enquiry into the genuineness of the caste certificate issued to respondent No.6.

5. Given the relief sought by the petitioner, I am afraid that such a direction cannot be granted in the present writ petition. However, the petitioner is at liberty to file a fresh representation before the District Collector or initiate separate proceedings to challenge the caste certificate issued to respondent No.6.

6. In view of the foregoing, and as the elections have already been concluded, without going into the merits of the issue, the Writ Petition is disposed of, granting liberty to the petitioner to avail alternative remedy by way of an election petition before the Election Tribunal, for redressal of his grievance, if advised, to challenge the election of the unofficial respondent No.6.

7. With the above observation, 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: 25.11.2026
BSK

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THE HONOURABLE SMT JUSTICE KIRANMAYEE MANDAVA

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Dated: 25.11.2026
BSK

HIGH COURT OF ANDHRA PRADESH :: AMARAVATI

MAIN CASE: WRIT PETITION NO: 33877 OF 2026

PROCEEDING SHEET

Sl. No.	DATE	ORDER	OFFICE NOTE
	25.11.2026	**KM,J** The Writ Petition is disposed of. (Vide Separate Order) **KM, J** BSK	