APHC010617862026

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: 33810/2026

Between:

1. PANCHAKARLA MADHANA MOHANA RAO, AGED ABOUT 31 YEARS, S/O PANCHAKARLA PANDURANGA RAO, R/O 15/115A1, ANJANEYAPETA, OPP MUNICIPAL OFFICE, GUDIVADA, KRISHNA DISTRICT, ANDHRA PRADESH-521301.

...PETITIONER

AND

1. THE STATE ELECTION COMMISSION, REP. BY ITS SECRETARY, NEW HODS BUILDING, OPP INDIRA GANDHI MUNICIPAL STADIUM M.G ROAD, VIJAYAWADA.
2. THE STATE OF ANDHRAPRADESH, REPRESENTED BY ITS PRINCIPAL SECRETARY, MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT, A.P SECRETARIAT, VELAGAPUDI, GUNTUR DISTRICT.
3. THE COMMISSIONER AND DIRECTOR OF MUNICIPAL ADMINISTRATION APCRDA PROJECT OFFICE, 4TH FLOOR, RAYAPUDI POST, TULLURU MANDAL, AMARAVATI, GUNTUR DISTRICT, ANDHRA PRADESH- 522237.
4. THE GUDIVADA MUNICIPALITY, REP BY ITS COMMISSIONER, SANTHI NAGAR, GUDIVADA, ANDHRA PRADESH- 521301.
5. THE TAHSILDAR CUM RETURNING OFFICER, GUDIVADA MANDAL,

GUDIVADA..

6. PUNUKOLLU AJAYBABU, S/O PUNUKOLLU KRISHNA RAO, AGE NOT KNOWN TO THE PETITIONER, R/O. GUDIVADA (PROPER ADDRESS NOT KNOWN TO THE PETITIONER)

...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 or order or direction more particular in the nature of Writ of Mandamus declaring the action of the Respondents herein more particularly the Respondent No 5 in failing to consider the objections raised by the Petitioner with regard to the nondisclosure of the criminal antecedents and previous convictions of Respondent No6 namely Punukollu Ajay Babu along with his nomination paper for Ward No3 of Gudivada Municipality and in failing to conduct a summary enquiry and pass a reasoned order thereon as illegal arbitrary contrary to Rule 810 of the Andhra Pradesh Municipalities Nagar Panchayats Conduct of Election of Chairpersons and Ward Members Rules 2026 Order No191SECF22026 dated 18092026 issued by the State Election Commission and the instructions contained in the Handbook for Election Officers 2026 and consequently direct Respondent No5 to consider the objections raised by the Petitioner and conduct a summary enquiry in accordance with the prescribed procedure and pass a reasoned order thereon before finalisation and publication of the list of contesting candidates for Ward No3 of Gudivada Municipality 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 direct the Respondent No.5 to consider the objections raised by the Petitioner and conduct a summary enquiry and pass a reasoned order thereon, and pass

Counsel for the Petitioner:

1. KILARU NITHIN KRISHNA

Counsel for the Respondent(S):

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

The Court made the following:

THE HONOURABLE SMT JUSTICE KIRANMAYEE MANDAVA

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ORDER:-

Heard Sri Kilaru Nithin Krishna, learned counsel for the petitioner; the Assistant Government Pleader for Municipal Administration and Urban Development, appearing for respondent Nos.2 & 3; Sri N. Ashwani Kumar, learned Standing Counsel for the State Election Commission appearing for respondent No.1 and Ms. Sirisha Vallabhaneni, learned Standing Counsel for Municipality, appearing for respondent No.4.

2. Challenging the action of the respondents, more particularly respondent No.5, in failing to consider the objections raised by the petitioner with regard to the non-disclosure of the criminal antecedents and previous convictions of respondent No.6, namely, Punukollu Ajay Babu, along with his nomination paper filed for Ward No.3 of Gudivada Municipality, and in failing to conduct a summary enquiry in that regard, the present writ petition has been filed.

3. The learned counsel for the petitioner places reliance on the judgment of the Coordinate Bench of this Court in W.P.No.33249 of 2026, dated 15.11.2026. It is further contended that despite a specific objection having been raised by the petitioner, the same was not considered by the Returning Officer.

4. The Learned Standing Counsel appearing for respondent No.1 contends that the State Election Commission has already issued directions in this regard to the electoral authorities vide Circular/Instructions dated 18.09.2026. For better appreciation, the relevant portion of the same is extracted hereunder:

> *"4. The information so furnished by each candidate in the aforesaid declaration shall be disseminated by the concerned Election Officer by displaying a copy of the declaration on the notice board of his office and also by making copies thereof available to all other candidates on demand and to the representatives of the print and electronic media.*
>
> *5. If any rival candidate furnished information to the contrary, by means of a declaration duly attested by two witnesses, then such declaration of the rival candidate shall also be disseminated along with the declaration of the candidate concerned in the manner directed above."*

5. Having regard to the same and placing reliance on the judgment of the Coordinate Bench of this Court in W.P.No.33249 of 2026, dated 15.11.2026, this Court deems it appropriate to dispose of the writ petition by directing respondent No.5 to strictly abide by the Circular/Instructions dated 18.09.2026 issued by the State Election Commission.

6. Registry is directed to append a copy of the order passed by this Court in W.P.No.33249 of 2026 dated 15.11.2026, to this order.

6. With the above directions, the Writ Petition is disposed of. There shall be no order as to costs.

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

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JUSTICE KIRANMAYEE MANDAVA

Date: 19.11.2026
MVK

THE HONOURABLE SMT JUSTICE KIRANMAYEE MANDAVA

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MVK