APHC010624372026

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: 34199/2026

Between:

1. PACHAVA NASARAIAH,, S/O. LATE. AKKAYYA, AGED 52 YEARS, OCC CULTIVATION, R/O. D.NO.4-129, MARELLAVARIPALEM VILLAGE, NUZENDLA MANDAL, PALNADU DISTRICT.

2. KANCHUMATI PERAIAH,, S/O CHINNA VENKAIAH, AGED 61 YEARS, OCC CULTIVATION, R/O. DOOR NO. 4-3, MARELLAVARIPALEM VILLAGE, NUZENDLA MANDAL, PALNADU DISTRICT.

3. KORRAPATI PRASAD,, S/O LAKSHMAIAH, AGED 45 YEARS, OCC CULTIVATION, R/O DOOR NO. 4-152, MARELLAVARIPALEM VILLAGE, NUZENDLA MANDAL, PALNADU DISTRICT.

4. PACHAVA SRIKANTH,, S/O. NASARAIAH, AGED 29 YEARS, OCC CULTIVATION, R/O.D.NO.4-129, MARELLAVARIPALEM VILLAGE, NUZENDLA MANDAL, PALNADU DISTRICT.

5. SANDADI SRINIVASA RAO,, S/O. LATE LAKSHMAIAH, AGED 53 YEARS, OCC CULTIVATION, R/O DOOR NO, 4-149, MARELLAVARIPALEM VILLAGE, NUZENDLA MANDAL, PALNADU DISTRICT.

6. SANDADI SRIKANTH,, S/O SRINU AGE 27 YEARS, OCC CULTIVATION, R/O DOOR NO. 4-149, MARELLAVARIPALEM VILLAGE, NUZENDLA MANDAL, PALNADU DISTRICT.

7. SANDADI VEERANIJNEYULU,, S/O ANJANEYULU, AGED 34 YEARS, OCC CULTIVATION, R/O DOOR NO. 4-162, MARELLAVARIPALEM VILLAGE, NUZENDLA MANDAL, PALNADU

DISTRICT.

8. SANDADI VENKATESH,, S/O ANJANEYULU, AGED 32 YEARS, OCC CULTIVATION, R/O DOOR NO. 4-162, MARELLAVARIPALEM VILLAGE, NUZENDLA MANDAL, PALNADU DISTRICT.

9. KANCHUMATI VENKATA SUBBA RAO,, S/O. CHINNA VENKAIAH, AGED 56, OCC CULTIVATION, R/O.D.NO.4-3, MARELLAVARIPALEM VILLAGE, NUZENDLA MANDAL, PALNADU DISTRICT.

10. KOTHA RAVI BABU,, S/O. YOGAIAH, AGED 45 YEARS, OCC CULTIVATION, R/O. MARELLAVARIPALEM VILLAGE, NUZENDLA MANDAL, PALNADU DISTRICT.

11. SANDADI HANUMATHA RAO,, S/O. LAKSHMAIAH, AGED 60 YEARS, OCC CULTIVATION, MARELLAVARIPALEM VILLAGE, NUZENDLA MANDAL, PALNADU DISTRICT.

12. KANCHUMATI PEDDA SUBBA RAO,, S/O. CHINNA VENKAIAH, AGED 56 YEARS, OCC CULTIVATION, R/O.D.NO.4-3, MARELLAVARIPALEM VILLAGE, NUZENDLA MANDAL, PALNADU DISTRICT.

13. REGULA VENKATESWARLU,, S/O. GOPALA KRISHNAIAH, AGED 66 YEARS, OCC CULTIVATION, R/O. MARELLAVARIPALEM VILLAGE, NUZENDLA MANDAL, PALNADU DISTRICT.

14. JILLELAMUDI CHINNA SINGAIAH,, S/O. VENKATESWARLU, AGED 63 YEARS, OCC CULTIVATION, R/O, MARELLAVARIPALEM VILLAGE, NUZENDLA MANDAL, PALNADU DISTRICT.

15. JILLELAMUDI PEDDA SINGAIAH,, S/O.VEERAIAH, AGED 64 YEARS, OCC CULTIVATION, R/O. MARELLAVARIPALEM VILLAGE, NUZENDLA MANDAL, PALNADU DISTRICT.

...PETITIONER(S)

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 / STATE ELECTION COMMISSIONER, 1ST FLOOR, NEW HOD BUILDING, M.G. ROAD, VIJAYAWADA -520001.
3. THE DISTRICT COLLECTORCUM DISTRICT ELECTION OFFICER, PALNADU DISTRICT AT NARASARAOPETA -522601.
4. THE DISTRICT PANCHAYAT OFFICER, PALNADU DISTRICT AT NARASARAOPET -522601.
5. THE REVENUE DIVISIONAL OFFICER, NARASARAOPETA, PALNADU DISTRICT - 522601.
6. THE RETURNING OFFICERCUMTAHSILDAR, NUZENDLA MANDAL, PALNADU DISTRICT - 522660.
7. THE SUBINSPECTOR OF POLICE, LNAVOLU POLICE STATION, NUZENDLA MANDAL, PALNADU DISTRICT - 522659.
8. THE STATION HOUSE OFFICER, LNAVOLU POLICE STATION, NUZENDLA MANDAL, PALNADU DISTRICT - 522659.
9. KANCHUMATI THIRUPALU, S/O. PEDDA VENKAIAH, RIO. MARELLAVARIPALEM VILLAGE, NUZENDLA MANDAL, PALNADU DISTRICT - 522660.

...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 tomay be pleased to issue a writ, order or direction more particularly one in the nature of WRIT OF MANDAMUS (i) declaring the action of Respondents 6 and 7 in repeatedly threatening the 1st Petitioner to withdraw his nomination for the office of Sarpanch of Marellavaripalem Gram Panchayat and in threatening all the Petitioners not to participate in the forthcoming elections scheduled on 26.11.2026 nor to stay in the village, and in further threatening to alter the sections in FIR No.91/2026 dated 17.11.2026 to non-bailable offences, as illegal, arbitrary, malafide, without authority of law and violative of Articles 14, 19 and 21 of the Constitution of India as well as the scheme of free and fair elections under Part IX of the Constitution of India and the Andhra Pradesh Panchayat Raj Act, 1994. (ii) directing the Respondents, particularly Respondents not to interfere in any manner with the right of the Petitioners to contest and participate in the Gram Panchayat elections of Marellavaripalem Gram Panchayat scheduled on 26.11.2026.

(iii) directing the Respondents to provide adequate protection to the Petitioners to enable them to freely contest and participate in the election process without fear or intimidation

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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 may be pleased to direct the Respondents, particularly Respondents not to interfere with the Petitioners' right to contest and participate in the election scheduled on 26.11.2026 nor take any coercive steps against them, pending disposal of the main Writ Petition and pass such

Counsel for the Petitioner(S):

1. PASALAPUDI SATYA HARITHA

Counsel for the Respondent(S):

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

The Court made the following:

THE HONOURABLE SMT JUSTICE KIRANMAYEE MANDAVA

WRIT PETITION NO: 34199/2026

ORDER:-

The Writ Petition is filed seeking following relief:

> *(i) declaring the action of Respondents 6 and 7 in repeatedly threatening the 1st Petitioner to withdraw his nomination for the office of Sarpanch of Marellavaripalem Gram Panchayat and in threatening all the Petitioners not to participate in the forthcoming elections scheduled on 26.11.2026 nor to stay in the village, and in further threatening to alter the sections in FIR No.91/2026 dated 17.11.2026 to non-bailable offences, as illegal, arbitrary, malafide, without authority of law and violative of Articles 14, 19 and 21 of the Constitution of India as well as the scheme of free and fair elections under Part IX of the Constitution of India and the Andhra Pradesh Panchayat Raj Act, 1994.*
>
> *(ii) directing the Respondents, particularly Respondents not to interfere in any manner with the right of the Petitioners to contest and participate in the Gram Panchayat elections of Marellavaripalem Gram Panchayat scheduled on 26.11.2026.*
>
> *(iii) directing the Respondents to provide adequate protection to the Petitioners to enable them to freely contest and participate in the election process without fear or intimidation.*

2. Heard Sri Pasalapudi Satya Haritha, learned counsel for the petitioners, learned Government Pleader for Home appearing for respondent Nos.7 & 8 and Sri N.Ashwani Kumar, learned Standing Counsel for the State Election Commission appearing for the respondent No.2.

3. When the matter is taken up for consideration, the learned Government Pleader for Home, appearing for the respondents has placed

before the Court a copy of the instructions received in the case. The same are taken on record. A perusal of the same reflects as follows:

> *"It is further submitted that the allegations that the Sub-Inspector of Police threatened the 1st Petitioner to withdraw his nomination, prevented the Petitioners from participating in the elections or threatened to alter the sections of law in the FIR to secure their arrest are specifically denied, subject to verification and confirmation by the concerned officer. No police officer is authorised to interfere with the nomination or electoral rights of any candidate, and the police authorities have no intention to prevent any eligible candidate or voter from participating in the election process. Any alteration of sections of law, if warranted, would be based solely on the material collected during investigation and strictly in accordance with law, and not for any extraneous consideration. The Petitioners have not substantiated their allegations of alleged threats by producing any independent material in support thereof.*
>
> *It is respectfully submitted that the Petitioners are attempting to give a political and electoral colour to a criminal case registered on the basis of a complaint disclosing cognizable offences. The writ jurisdiction under Article 226 of the Constitution of India cannot be invoked to obstruct a lawful criminal investigation merely on the ground that some of the accused are contesting the ensuing elections. The police authorities are committed to maintaining law and order and ensuring that the election process is conducted peacefully, freely and fairly, without favour or discrimination towards any political group or candidate. The Petitioners are at liberty to participate in the election process in accordance with law, while simultaneously cooperating with the investigation."*

4. In the light of the same, no further adjudication is required in the instant case. It is needless to mention that the petitioners shall not cause any violence or law and order issues in the area and shall strictly abide by the model code of conduct and shall not indulgence in any activities, which breaches the peace and public order.

5. Having regard to the contentions advanced and having regard to the Circulars dated 01.11.2026 & 13.11.2026 issued by the State Election Commission, this Court deems it appropriate to dispose of the Writ Petition, directing the respondents to ensure that the elections are conducted in a free, and fair manner.

6. With the above direction, 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: 25.11.2026
MVK

THE HONOURABLE SMT JUSTICE KIRANMAYEE MANDAVA

WRIT PETITION NO: 34199 OF 2026

Date: 25.11.2026

MVK