APHC010628042026

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: 34482/2026

Between:

1. VELINENI MAHESWARA RAO, S/O SRINIVASULU AGED ABOUT 49 YEARS R/O BODAGUDIPADU DAGADARTHI MANDAL SPSR NELLORE DISTRICT

...PETITIONER

AND

1. THE STATE ELECTION COMMISSION, ANDHRA PRADESH REP BY ITS STATION ELECTION COMMISSIONER VIJAYAWADA ANDHRA PRADESH 520001
2. THE CHIEF ELECTORAL OFFICER, ANDHRA PRADESH VIJAYAWADA 520001
3. THE DISTRICT ELECTION OFFICER, THE DISTRICT COLLECTOR NELLORE SPSR NELLORE DISTRICT 524001
4. STATE OF ANDHRA PRADESH, PANCHAYAT RAJ AND RURAL DEVELOPMENT DEPARTMENT SECRETARIAT VELAGAPUDI AMARAVATHI GUNTUR DISTRICT REP BY ITS PRINCIPAL SECRETARY 522237
5. THE SUPERINTENDENT OF POLICE, NELLORE SPSR NELLORE DISTRICT 524001
6. THE SUB DIVISIONAL POLICE OFFICER, KAVALI SPSR NELLORE DISTRICT 524201
7. THE CIRCLE INSPECTOR, KAVALI RURAL SPSR NELLORE DISTRICT 524201

8. THE STATION HOUSE OFFICER, DAGADARTHI POLICE STATION DAGADARTHI SPSR NELLORE DISTRICT 524240

...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 one in the nature of Writ of Mandamus, declaring the action of Respondent Nos. 7 and 8 in repeatedly threatening and pressurizing the petitioner to leave Bodagudipadu village till the completion of the election process of Bodagudipadu Gram Panchayat as illegal, arbitrary, unreasonable and violative of Articles 14, 19(1)(a) and 21 of the Constitution of India and consequently to direct Respondent Nos. 5 to 8 and their subordinates not to interfere with the Petitioners right to reside in the village and not to threaten or harass him in any manner under the guise of the pending rowdy sheet or any other pretext and to 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 direct Respondent Nos. 5 to 8 and their subordinates not to threaten the petitioner to leave the Bodagudipadu Village till the completion of the election process of Bodagudipadu Gram Panchayat, during pendency of the Writ petition and pass

Counsel for the Petitioner:

1. C SUBODH

Counsel for the Respondent(S):

1. GP FOR PANCHAYAT RAJ RURAL DEV
2. GP FOR HOME
3. GP FOR REVENUE
4.

The Court made the following:

THE HONOURABLE SMT JUSTICE KIRANMAYEE MANDAVA

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ORDER:-

Heard Sri C. Subodh, learned counsel for the petitioner, learned Government Pleader for Home appearing for respondent Nos.5 to 8 and Sri N. Ashwani Kumar, learned Standing Counsel for the State Election Commission appearing for respondent Nos.1 & 2.

2. The grievance of the petitioners in the instant writ petition is against the action of respondent Nos.7 and 8 in repeatedly threatening and pressurizing the petitioner to leave Bodagudipadu village till the completion of the election process of Bodagudipadu Gram Panchayat.

3. When the matter has been 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:

> *"5. It is submitted that the Petitioner is stated to be maintaining Rowdy Sheet No.37 pursuant to the proceedings of the Sub-Divisional Police Officer, Kavalı, in C.No.76/GL-HS-SDOK/2025, dated 04.09.2025. However, the existence of the said rowdy sheet has not been used by this Respondent as a ground to threaten the Petitioner or compel him to leave the village. Any police action, if required, shall be taken only in accordance with law and the applicable procedure.*
>
> *6. It is respectfully submitted that this Respondent is duty-bound to maintain public peace and order during the election process and shall discharge such duties strictly in*

accordance with law and the directions issued by the competent election authorities This Respondent has no intention whatsoever to interfere with the Petitioner's right to reside at Bodagudipadu Village or to obstruct any peaceful and lawful election-related activity."

4. In the light of the same, the respondents are directed not to interfere with the petitioner's residing in Bodagudipadu Village. 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 of public law and order.

5. With the above observations, 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: 34482 OF 2026

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MVK