APHC010628852026

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: 34521/2026

Between:

1. SARE CHANDRA BHARATHI, W/O.SHIVAIAH, AGED 35 YEARS, CONTESTING AS SARPANCH OF GADIKOTA VILLAGE, GIDDALUR MANDAL, MARKAPUR DISTRICT.
2. SARE SHIVAIAH,, S/O.CHINNA RANGAIAH, AGED 42 YEARS, OCC CULTIVATION, R/O.VITTAMUSARI PAILI, H/O.GADIKOTA VILLAGE, GIDDALUR MANDAL, MARKAPUR DISTRICT.

...PETITIONER(S)

AND

1. THE STATE OF ANDHRA PRADESH, REP BY ITS PRINCIPAL SECRETARY HOME DEPARTMENT SECRETARIAT BUILDINGS VELAGAPUDI GUNTUR DISTRICT
2. ANDHRA PRADESH STATE ELECTION COMMISSION, REP BY ITS SECRETARY 1ST FLOOR NEW HOD BUILDINGS OPP INDIRAGANDHI MUNICIPAL STADIUM MG ROAD VIJAYAWADA NTR DISTRICT
3. THE SUPERINTENDENT OF POLICE, MARKAPUR MARKAPUR DISTRICT
4. THE SHO, GIDDALUR UPS MARKAPUR DISTRICT

...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 appropriate Writ, Order or direction more particulalry one in

the nature of Writ of Mandamus declaring the action of Respondents No.3 4 preventing the petitioners and their family members canvasing ongoing Sarpanch Election in Gadikota Village, Giddalur Mandal, Markapur District as arbitrary, illegal against Article 14, 19(1)(a), 19(1)(c) 21 of Constitution of India and Elelction Rules, 2006 and consequentially direct the respondents No.3 4 not to call for the petitioners family members to the Police Sation till completion of Sarpanch Ward Members Election of Gadikota Village, Giddalur Mandal, Markapur District without registering any crime against them and to pass

IA NO: 1 OF 2026

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 Respondents not to call the Petitioners to the Police Station without registration of any crime, not to place them under house arrest, and not to prevent them for canvassing in the ensuing election to the post of Sarpanch and Ward Members of Gadikota Gram Panchayat till completion of election on 26.11.2026 and from exercising their right to vote on 26.11.2026 and to provide them adequate police protection, in accordance with the applicable election rules, Pending disposal of the above Writ Petition and to pass

Counsel for the Petitioner(S):

1. CHALLA SIVASANKAR

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: 34521/2026

ORDER:-

Heard Sri Challa Sivasankar, learned counsel for the petitioners, learned Government Pleader for Home appearing for respondent Nos.1, 3 & 4 and Sri N.Ashwani Kumar, learned Standing Counsel for the State Election Commission appearing for the respondent No.2.

2. The grievance of the petitioners in the instant writ petition is against the action of respondent Nos.3 and 4 in preventing the petitioners and their family members from canvassing in the ongoing Sarpanch election in Gadikota Village, Giddalur Mandal, Markapur District.

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 further submitted that the registration of Crime No.267/2026 was independent of the election activities of the petitioners. The 4th respondent has not prevented or obstructed the petitioners or their family members form canvassing, participating in the election process, or exercising their lawful democratic rights in connection with the Sarpanch and Ward Member elections of Gadikota Gram Panchayat."*

4. In the light of the same, the respondents are directed not to prevent the petitioners participating in the election process except in accordance with law. 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

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MVK