

APHC010409122025

IN THE HIGH COURT OF ANDHRA PRADESH



AT AMARAVATI

(Special Original Jurisdiction)



THURSDAY, THE SEVENTH DAY OF AUGUST
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

WRIT PETITION NO: 20944 OF 2025

Between:

1. YUVAJANA SRAMIKA RYTHU CONGRESS PARTY (YSRCP),, Rep.by its General Secretary, Mr. Leila Appireddy, S/o. Leila Sambhi Reddy, Aged about 58 yrs, YSRCP State Office, Tadepalli, Guntur District, Andhra Pradesh - 522501.

...Petitioner

AND

1. The State of Andhra Pradesh, Rep. By its Principal Secretary, Panchayath Raj and Rural Development, Secretariat, Andhra Pradesh, Velagapudi, Guntur District.
2. The State Election Commissioner, Rep.by its State Election Commissioner, Vijayawada.
3. The Director General of Police, State of Andhra Pradesh, Vijayawada.

...Respondents

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 or Order in the nature of Mandamus declaring the action of the respondents in not taking any required corrective measures such as arranging CC Tv surveillance, Web- Casting, deployment of independent observers, police protection to contesting candidates, constitution of election control rooms and video documentation of entire election process as illegal, arbitrary and violative of Articles 14 and 243 of the Constitution of India and consequently direct the respondents to conduct the proposed elections to the casual vacancies of Mandal Parishad Territorial Constituencies (MPTCs), Zilla Parishad Territorial Constituencies (ZPTCs) and Gram Panchayaths on a level playing field as per the Schedule issued on 28/7/2025 by taking all measures as requested by the petitioner in its representation dt,31-07- 2025

IA NO: 1 OF 2025

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 to direct the respondent No.2 to consider the representation dt.31-07- 2025 submitted by the petitioner immediately by taking all required measures indicated therein, pending disposal of the main Writ Petition

Counsel for the Petitioner : KIRAN KUMAR VADLAMUDI

**Counsel for the Respondents (R1) : GP FOR PANCHAYAT RAJ RURAL
DEV**

**Counsel for the Respondents (R2) : GP FOR GENERAL
ADMINISTRATION**

Counsel for the Respondents (R3) : GP FOR HOME

The Court made the following ORDER :



IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)

[3329]

THURSDAY, THE SEVENTH DAY OF AUGUST
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

WRIT PETITION NO: 20944/2025

Between:

1. YUVAJANA SRAMIKA RYTHU CONGRESS PARTY (YSRCP),,
REP. BY ITS GENERAL SECRETARY, MR. LEILA APPIREDDY, S/O.
LEILA SAMBI REDDY, AGED ABOUT 58 YRS, YSRCP STATE
OFFICE, TADEPALLI, GUNTUR DISTRICT, ANDHRA PRADESH -
522501.

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL
SECRETARY, PANCHAYATH RAJ AND RURAL DEVELOPMENT,
SECRETARIAT, ANDHRA PRADESH, VELAGAPUDI, GUNTUR
DISTRICT.

2. THE STATE ELECTION COMMISSIONER, REP. BY ITS STATE
ELECTION COMMISSIONER, VIJAYAWADA.

3. THE DIRECTOR GENERAL OF POLICE, STATE OF ANDHRA
PRADESH, VIJAYAWADA.

...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 or Order in the nature of Mandamus declaring the action of the respondents in not taking any required corrective measures such as arranging CC Tv surveillance, Web- Casting, deployment of independent observers, police protection to contesting candidates,

constitution of election control rooms and video documentation of entire election process as illegal, arbitrary and violative of Articles 14 and 243 of the Constitution of India and consequently direct the respondents to conduct the proposed elections to the casual vacancies of Mandal Parishad Territorial Constituencies (MPTCs), Zilla Parishad Territorial Constituencies (ZPTCs) and Gram Panchayaths on a level playing field as per the Schedule issued on 28/7/2025 by taking all measures as requested by the petitioner in its representation dt,31-07- 2025

IA NO: 1 OF 2025

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 to direct the respondent No.2 to consider the representation dt.31-07- 2025 submitted by the petitioner immediately by taking all required measures indicated therein, pending disposal of the main Writ Petition

Counsel for the Petitioner:

1.KIRAN KUMAR VADLAMUDI

Counsel for the Respondent(S):

1.GP FOR PANCHAYAT RAJ RURAL DEV

2.GP FOR GENERAL ADMINISTRATION

The Court made the following:

THE HON'BLE SRI JUSTICE VENKATESWARLU NIMMAGADDA**WRIT PETITION NO: 20944/2025****ORDER:**

This writ petition is filed under Article 226 of the Constitution of the India seeking the following reliefs:-

"to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in not taking any required corrective measures such as arranging CC Tv surveillance, Web-Casting, deployment of independent observers, police protection to contesting candidates, constitution of election control rooms and video documentation of entire election process as illegal, arbitrary and violative of Articles 14 and 243 of the Constitution of India and consequently direct the respondents to conduct the proposed elections to the casual vacancies of Mandal Parishad Territorial Constituencies (MPTCs), Zilla Parishad Territorial Constituencies (ZPTCs) and Gram Panchayaths on a level playing field as per the Schedule issued on 28.07.2025 by taking all measures as requested by the petitioner in its representation dated 31.07.2025 and pass such other order."

2. Heard the learned counsel for the petitioner, learned Government Pleader for respondent No.1, learned Standing Counsel for respondent No.2 and learned Government Pleader for Home for respondent No.3.

3. Learned counsel for the petitioner submits that the respondent No.2 issued an election notification dated 28.07.2025 for conducting By-Elections to the local Panchayat Raj authorities under Section 16 of the Andhra Pradesh Panchayat Raj Act, 1994 r/w

Rules 4 and 6 of the Andhra Pradesh Panchayat Raj (Conduct of Elections) Rules, 2006. As per the notification, the relevant election schedule is as follows:

a) Date of issue of Election Notice by the Returning Officer in Form-I under Rule 6 of A.P. Panchayat Raj (Conduct of Election) Rules, 2006. b) display of Ward-wise electoral roll of Gram Panchayat by Returning Officer under Rule 5 of A.P. Panchayat Raj (Conduct of Elections) Rules, 2006.	30.07.2025 (From this date, nominations can be filed between 10.30 AM and 5 PM)
Conduct of Poll, wherever necessary	10.08.2025 (from 2 PM onwards)
a) Date of conduct of Upa-Sarpanch election under Section 14(10) of A.P. Panchayat Raj Act, 1994 (Applicable for Kondapi Gram Panchayat) b) If for any reason, the election of Upa-Sarpanch is not held on the date aforesaid, it shall be held on the next day, whether or not it is a holiday observed by the GP.	On the same day on which the results are declared

4. After issuance of such notification and notice by respondent Nos.2 and 3, the petitioner herein submitted a detailed

representation to the 2nd respondent on 31.07.2025, requesting/praying as under:

"In view of the above, it is most respectfully prayed that this Hon'ble Commission may be pleased to: Issue urgent and time-bound instructions to the State and district-level authorities for the implementation of the safeguards listed herein; Direct the DGP of Andhra Pradesh to ensure police protection and non-interference in the election process; Constitute a Special Supervisory Committee or Task Force to monitor the conduct of elections in sensitive regions; Take stern action against officials found complicit in any electoral malpractice or administrative bias; Ensure that the upcoming elections are held in full compliance with constitutional mandates, electoral law, and principles of natural justice."

5. Learned counsel for the petitioner further submits that even after receipt of the said representation, the 2nd respondent herein neither considered the representation nor passed any proceedings by way of reply. Hence, the present Writ Petition.

6. On the other hand, the learned Standing Counsel for respondent No.2 submits that the representation of the petitioner was considered and redressed the grievance of the petitioner. For which, the 2nd respondent addressed a letter dated 06.08.2025 to respondent No.3 to maintain law and order in all respects and requested to take all necessary steps in order to ensure that the

election should be conducted in a free, fair, peaceful and impartial manner., if necessary, the required police force may be deployed from other divisions in the District or from outside the District. Further, the 2nd respondent also passed an order dated 04.08.2025 considering the contents of the representation as under:

"Under Section 210 of A.P. Panchayat Raj Act, 1994, all the Officers appointed in connection with conduct of any election under the said Act, shall be deemed to be on deputation to the State Election Commission and subject to its control, superintendence and discipline.

The Observers appointed by the State Election Commission shall review the entire election process i.e., implementation of Model Code of Conduct, reviews with Static Surveillance Teams, Flying Squads, arrangements for CCTV coverage, Web Casting at Sensitive/Hyper Sensitive/Critical Polling Stations, Law and Order position including Bandobust in and around the Polling Stations, arrangements for Strong Rooms and Counting Centres, Conduct of Government Servants engaged with election duties, Monitoring of Election Expenditure by the Contesting Candidates, Security for the Contesting Candidates, if so requested, based on the threat perception, etc.

A copy of the "Guidelines for Observers" issued by the Commission during the Ordinary Elections held in 2021 are appended to this order and they are advised to send the appropriate reports (Annexure-III & IV for MPTC/ZPTC and Annexure-IV to VI for GPs) in the formats specified therein."

7. In view of the proceedings issued by the 2nd respondent dated 04.08.2025 and 06.08.2025 for conducting By-Elections as per notification in free, fair and impartial manner by the entire election machinery, the grievance of the petitioner was redressed. It is well settled principle of law that once the elections are set in motion by way of election notification, no Court shall interfere or interdict the election process in any manner, except directing the respondent authorities to conduct elections in free and fair manner by maintaining law and order and allowing all the voters to exercise their franchise in the manner of free, fair and peaceful as per the notification schedule.

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

9. Learned Standing Counsel as well as the learned Government Pleader are directed to inform the order of this Court to the respondents.

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

//TRUE COPY//

**Sd/- K. TATA RAO
DEPUTY REGISTRAR**


SECTION OFFICER

To,

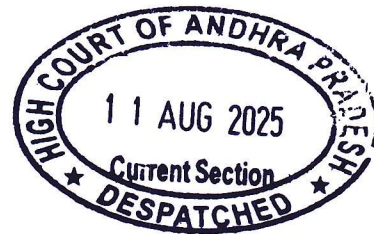
1. The Principal Secretary, State of Andhra Pradesh Panchayath Raj and Rural Development, Secretariat, Andhra Pradesh, Velagapudi, Guntur District.

2. The State Election Commissioner, State Election Commissioner, Vijayawada.
3. The Director General of Police, State of Andhra Pradesh, Vijayawada.
4. One CC to SRI. KIRAN KUMAR VADLAMUDI Advocate [OPUC]
5. Two CCs to GP FOR PANCHAYAT RAJ RURAL DEV High Court of Andhra Pradesh [OUT]
6. Two CCs to GP FOR GENERAL ADMINISTRATION High Court of Andhra Pradesh [OUT]
7. Two CCs to GP FOR HOME High Court of Andhra Pradesh [OUT]
8. Two CD Copies

TAC

HIGH COURT
DATED:07/08/2025

ORDER
WP NO. 20944 OF 2025



DISPOSING THE WP WITHOUT COSTS