



**IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)**

THURSDAY, THE ELEVENTH DAY OF NOVEMBER, TWO THOUSAND AND TWENTY ONE

:PRESENT:

THE HONOURABLE SRI JUSTICE D. RAMESH

WRIT PETITION NO: 26467 OF 2021

Between :

- 1.V. Jayalakshmi, W/o Dhanapal, Aged-61 years, R/o. H No. 16-41/1, Kurmayapuram, Kothapeta, Kuppam, Chittoor District.
- 2.G. Harsha Dharma Teja, S/o Gopinath, Aged-30 years, D.No14-72, Radhakrishna Road Extension, Kuppam, Chittoor District.

....Petitioners

AND

- 1.The State of Andhra Pradesh, Represented by its Principal Secretary, Municipal Administration and Urban Development, A.P. Secretariat, Velagapudi, Guntur District.
- 2.The State of Andhra Pradesh, Represented by its Principal Secretary, Home Department, A.P. Secretariat, Velagapudi, Guntur District.
- 3.The Andhra Pradesh State Election Commission, Rep. by its Secretary, 1st Floor, HOD s Building, Opp : Indiragandhi Municipal Stadium, M.G.Road, Vijayawada.
- 4.The Municipal Commissioner/Returning Officer, Kuppam Municipality, Kuppam, Chittoor District.
- 5.The Deputy Superintendent of Police, Sub-Divisional Police Office, Palamaneru, Chittoor District.
- 6.The Superintendent of Police, District Police Office, Prasanth Nagar, Chittoor, Chittoor District.

....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 an writ, order or direction, more particularly one in the nature of Writ of Mandamus declaring the action of the 5th respondent in issuing the impugned notice dated 08.11.2021 directing the contestants to the Kuppam Municipality to take his prior permission for electioneering as illegal, arbitrary, in violative of Articles 14 and 19 of the Constitution of India and consequently direct the respondents to allow the political functionaries viz., Sri N. Amarnath Reddy, Pulavarthi Mani Prasad @ Nani, Nimmala Rama Naidu, MLA and P.S.Muniratnam to take part in the election campaign by setting aside the same.

I.A. No. 1 of 2021 :-

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of W.P., the High Court may be pleased to direct the respondents to allow the political functionaries viz., Sri N.Amarnath Reddy, Pulavarthi Mani Prasad @ Nani, Nimmala Rama Naidu, MLA and P.S.Muniratnam to take part in the election campaign pending disposal of W.P.No. 26467 of 2021, on the file of the High Court.

I.A. No. 2 of 2021 :-

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of W.P., the High Court may be pleased to stay the impugned notice dated 08-11-2021 issued by the 5th respondent herein pending disposal of W.P.No. 26467 of 2021, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri Ginjupalli Subba Rao, Advocate for petitioners and of the G.P. for Municipal Administration on behalf of respondent Nos. 1 and 4 and of the Govt. Pleader for Home for respondent Nos. 2, 5 and 6 and of Sri Vivek Chandrasekhar, Standing Counsel for respondent No.3, the Court made the following

Contd..2....

ORDER :-

"R6 i.e. Superintendent of Police, Chittoor is directed to get explanation from R5 Deputy Superintendent of Police, Palamaneru, Chittoor District with regard to issuance of the impugned notice dated 08.11.2021, and submit the same to this Court on or before 15.11.2021.

Post on 15.11.2021."

//TRUE COPY//

Sd/- M. SRINIVAS,
ASSISTANT REGISTRAR


for ASSISTANT REGISTRAR

To

1. The Principal Secretary, Municipal Administration and Urban Development, State of Andhra Pradesh, A.P. Secretariat, Velagapudi, Guntur District.
2. The Principal Secretary, Home Department, State of Andhra Pradesh, A.P. Secretariat, Velagapudi, Guntur District.
3. The Secretary, Andhra Pradesh State Election Commission, 1st Floor, HOD s Building, Opp : Indiragandhi Municipal Stadium, M.G.Road, Vijayawada.
4. The Municipal Commissioner/Returning Officer, Kuppam Municipality, Kuppam, Chittoor District.
5. The Deputy Superintendent of Police, Sub-Divisional Police Office, Palamaneru, Chittoor District.
(Addressee Nos. 1 to 5 by RPAD)
6. The Superintendent of Police, District Police Office, Prasanth Nagar, Chittoor, Chittoor District. (By Speed Post/Fax)
7. Two CCs to the G.P. for Municipal Administration, High Court of A.P., at Amaravati(OUT)
8. Two CCs to the G.P. for Home, High Court of A.P., at Amaravati(OUT)
9. One CC to Sri Ginjupalli Subba Rao, Advocate(OPUC)
10. One spare copy.

TKK

HIGH COURT

DR.J

DT.11-11-2021.

ORDER

W.P.No. 26467 of 2021

DIRECTION

