HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

MAIN CASE No: W.A.No.1227 of 2026
PROCEEDING SHEET

Sl. No	DATE	ORDER	OFFICE NOTE.
1.	18.10.2026	**NJS,J &PKC, J** **I.A.No.4 of 2026** **In** **W.A.No.1227 of 2026** The applicant/appellant filed W.P.No.30103 of 2026 seeking to declare:- "the inaction of the respondents in not taking adequate measures to ensure the safe and free filing of nominations in the ensuing elections to the Municipalities, MPTCs and ZPTCs in the State of Andhra Pradesh, in spite of the threats and intimidation brought to their notice, as illegal, arbitrary and violative of Articles 14, 19(1)(a), 21,243K and 243ZA of the Constitution of India, and consequently direct the Respondents to take immediate steps for establishment of an additional and optional nomination facility at each District Headquarters before the District Collector, the District Election Officer or a Returning Officer designated by the 4th respondent to receive the nomination papers of all the said local bodies in the District, with adequate security at and around such facility during the entire nomination period, and with procedures for safe custody of the papers, issue of acknowledgement to the candidates and their prompt and sectire forwarding to the concerned Returning Officers for scrutiny, and designate neutral nomination centres in place of those near the strongholds of the ruling party," The learned judge disposed of the Writ Petition by order dated 15.10.2026, the operative portion of which reads as under:- "Having regard to the contentions advanced, and request made on behalf of the petitioner that liberty may be granted to them to approach the Election Officer seeking notifying any other place other than the designated place in the notification for submission of a nomination papers, this Court	Contd.,

		is of the view that the said request of the petitioner cannot be considered as an omnibus request. However, the respective individual intending candidates, in case of any threat being posed to him/her, he/she is at liberty to approach the Election Officer by filing an application seeking designation of any other place for submission of the nomination papers other than the notified center, within the limits of his territorial jurisdiction. Upon filing of such application, the Election Officer shall pass appropriate orders on the same in accordance with law. Needless to observe that filing of the application by the contesting candidate and consideration and disposal of the same by the authority shall be in conformity with the time schedules as notified under the subject Election Notification" Referring to the subsequent events/incidents said to have occurred, applicant/appellant filed I.A.No.1 of 2026 to receive the additional material papers and permit the same to be taken on record in the Writ Appeal. Referring to the said material, Exs.P15 etc.., Mr. S. Sriram, learned Senior Advocate made submissions through virtual mode seeking interference by the Appellate Court and grant directions including for extension of time for receipt of nominations by one day in view of interruptions/disruptions to the nomination process. He submits that on 16.10.2026, a representation was made to the State Election Commissioner to take adequate measures to receive the nomination papers from the candidates without any hurdles. On instructions he also submits that, further representation was also made in person to the State Election Commissioner today stating the circumstances that warrant interference of 4th respondent with regard to extension of time for filing nominations. He submits that in view of the subsequent	Contd..,

		events, the relief sought for in the present I.A. seeking extension of time for receipt of nominations by one day would not amount to interfering with the election process, but would further conduct of election which was rather interrupted as a result of State induced actions. Learned Senior Counsel also placed reliance on the decisions of the Hon'ble Supreme Court in ***Mohindar Singh Gill and Another Vs. Chief Election Commissioner, New Delhi and Others*** [1]. 2023 High Court Cases (Calcutta) 484[2], order in Special Leave Petition (c) No.12294 of 2023[3] filed against the said decision. Reliance is also placed on decision of Supreme Court in ***Election Commissioner of India vs. Ashok Kumar and others*** [4] etc., Per contra, Mr. Ashwini Kumar, learned counsel representing 4th respondent/State Election Commission appeared through online and made submissions to the effect that as per his instructions, the representation made on behalf of the applicant/appellant cannot be considered as it would amount to interfering with the election schedule and the calendar cannot be disturbed. Placing reliance on the decisions rendered by the Hon'ble Supreme Court in ***State of Karnataka and others vs.Gunjahalli Nagappa and Others***[5]***, Meenakshi Natrajan vs. Election Commission of India and Another***[6]***and State of Goa and Another vs. Fouziya Imtiaz Shaikh and another***[7]***,*** the learned counsel also submits that the directions sought	

[1] (1978) 1 SCC 405
[2] 2023 SCC Cal.1496
3 SLP (c) No.12294/2023
[4] 2008 SCC 216
[5] (1976) 1 SCC 204
[6] 2026 SCC Online SC 1133
[7] (2021) 8 SCC 401

		for in the present miscellaneous petition would amount to interfering with the election process and in the light of the settled legal position, the same cannot be granted. Smt. S. Pranathi, learned Special Government Pleader Office of the learned Advocate General made submissions with reference to the Rule-4 (4) and Rule-66 (4) of Andhra Pradesh Municipalities/Nagar Panchayats (Conduct of Elections of Chair Persons and Ward Members in the Municipalities and Nagar Panchayats) Rules, 2026. Placing a copy of order No.840/SEC-F1/2026 dated 16.10.2026 she submits that appropriate directions/instructions have already been issued by the State Election Commission. Further relying on the decisions of the Hon'ble Supreme Court in ***Bharatiya Janata Party, West Bengal vs. State of West Bengal and others*** [8]***, Anugrah Narain Singh and another vs. State of U.P. and others***[9] she submits that applicant/appellant is not entitled for any relief and the Writ Appeal itself is liable to be dismissed. This Court has considered the submissions made and perused the material on record. At the outset, it may be appropriate to mention that as per the election schedule, the last date for receipt of nominations is from 16.10.2026 to 18.10.2026 between 11.00 A.M. and 3.00 P.M., scrutiny on 19.10.2026, withdrawal on 21.10.2026, polling on 28.10.2026 and counting on 30.10.2026, re-polling, if any on 29.10.2026 and counting of events and declaration of results is on 30.10.2026.	Contd.,

[8] (2018) 5 SCC 365
[9] (1996) 6 SCC 303

		Given the election schedule and the main relief sought for in the Writ Petition, prayer in present miscellaneous application i.e., I.A.No.4 of 2026 merits no consideration as it amounts to granting relief beyond the scope of writ petition. At this juncture, it may be pertinent to mention that as per the submissions made by learned counsel for the State Election Commission, it appears that the request/representation said to have been made in person on behalf of the appellant/political party, was not considered favourably. In this regard, learned Senior Counsel sought to impress upon the Court to the effect that in view of the submission that the election schedule cannot be disturbed and thereby representation of the petitioner was negatived, but this Court is not precluded to examine the matter and grant relief. However, this Court has no advantage of having copy of any such rejection proceedings/order of the State Election Commission, in the absence of which, the justification/correctness or otherwise of rejection, cannot be appreciated much less without challenge to the same. If the 4th respondent has not considered the representation and rejected the same, the applicant/appellant has to work out remedies in accordance with law. Be that as it may, though counsel on both sides relied on the decisions cited supra in support of their submissions, the same may not be dealt with at this stage. Suffice to state that the time for submission/filing of nominations had already expired and any direction at this stage, which Constitutional Courts would be loathe to issue, amounts to interference with election process and against well	Contd.,

		settled position in law. For the foregoing reasons, this Court is not inclined to grant relief sought for. Accordingly, the I.A. is dismissed. **W.A.No.1227 of 2026** Post the matter before the appropriate bench on 26.10.2026. **NJS, J** **PKC, J** *PGT*	Contd..,