THE HONOURABLE SRI JUSTICE ALAPATI GIRIDHAR

WRIT PETITION (SR) No: 45117 OF 2026

ORDER:

The Writ Petition was assigned to this Court by way of a House Motion.

2. This Writ Petition is filed seeking to declare the action of Respondent No.3 in insisting that candidates supported by Petitioner No. 1 political party, submit Form-B at the time of filing their nomination papers, failing which they would be treated as independent candidates, without following the due process of law, as arbitrary, illegal and contrary to the provisions of Chapter IV, Rule 4(j) of the Hand Book for Contesting Candidates issued by the Andhra Pradesh State Election Commission, 2026. Consequently, the Petitioners seek a direction to the Respondent authorities not to insist upon the contesting candidates to submit Form-B along with their nomination papers before the expiry of the prescribed deadline for its submission under the relevant rules.

3. Heard Sri V.R.Reddy Kovvuri, learned counsel for the petitioners and Mr. Ajay Kumar Kanaparthi, learned counsel representing Mr. N. Ashwini Kumar, learned Standing Counsel for State Election Commission appearing for respondents.

4. The learned counsel for the petitioners has drawn the attention of this Court to Paragraph 8, titled “When a Candidate Shall Be Deemed to Be

Set Up by a Political Party," of the Hand Book for Contesting Candidates issued by the Andhra Pradesh State Election Commission, 2026. Clause (d) thereof stipulates that Form-A shall be submitted to the Collector and District Election Authority concerned before 5:00 p.m. on the last date for making nominations. Clause (f) provides that Form-B is an intimation of the name(s) of the candidate(s) set up by the political party for the local body constituencies. The specimen of Form-B is appended as Annexure-XV. It further stipulates that Form-B shall be delivered to the Election Officer concerned before 3:00 p.m. on the last date for withdrawal of candidature. That the responsibility for delivering Form-B to the Election Officer within the prescribed time rests with the political party concerned.

5. The learned counsel for the Petitioners has also drawn the attention of this Court to the checklist for scrutiny of nomination papers, which specifies the documents required to be enclosed with the nomination papers. The apprehension of the petitioners is that, notwithstanding the instructions contained in the aforesaid Handbook, the respondent authorities may insist upon the submission of Form-B along with the nomination papers. The Petitioners contend that, as per the Handbook, the political party is required to submit Form-A on the last date for making nominations and Form-B before 3:00 p.m. on the last date for withdrawal of candidature. Therefore, the Petitioners apprehend that candidates supported by their political party may be treated as independent candidates if Form-B is not submitted along with their nomination papers.

6. In response, Mr. Ajay Kumar Kanaparthi, learned counsel appearing for Mr. N. Ashwini Kumar, learned Standing Counsel for the State Election Commission, submits that the Respondent Authorities will follow the instructions contained in the Hand Book for Contesting Candidates issued by the Andhra Pradesh State Election Commission, 2026. He further submits that the apprehension expressed by the Petitioners is without any basis and the Writ Petition based on such apprehension is not maintainable.

7. In reply, learned counsel for the Petitioners submits that, being a political party, the Petitioners are entitled to approach this Court seeking compliance with the instructions contained in the aforesaid Handbook.

8. As per the Handbook, at page 30, Clause (d) stipulates that Form-A shall be submitted to the Collector and District Election Authority concerned before 5:00 p.m. on the last date for making nominations. Further Clause (f) provides that Form-B is an intimation of the name(s) of the candidate(s) set up by the political party for the local body constituencies. The specimen of Form-B is appended as Annexure-XV, shall be delivered to the Election Officer concerned before 3:00 p.m. on the last date for withdrawal of candidature. That the responsibility for delivering Form-B to the Election Officer within the prescribed time rests with the political party concerned.

9. Whereas, the checklist for scrutiny of nomination papers, which specifies the documents required to be enclosed with the nomination papers

and also mentions Form-B. Thus the 1st Petitioner, can maintain the Writ, to address the issue in the above circumstances.

10. The Court, recording the submission that the State Election Commission that they will scrupulously follow the Hand Book for Contesting Candidates issued by the Andhra Pradesh State Election Commission, 2026.

11. The Court, inclined to dispose of the Writ by directing the 2ndRespondent to ensure compliance with the Hand Book for Contesting Candidates issued by the Andhra Pradesh State Election Commission, 2026, on Clause (d) on Form-A and Clause (f) on Form-B.

12. Accordingly, the Writ Petition is disposed of, directing the Respondent No.2 to ensure compliance with the instructions contained in Clauses (d) on Form-A and (f) on Form-B of the Hand Book for Contesting Candidates issued by the Andhra Pradesh State Election Commission, 2026. There shall be no order as to costs.

As a sequel, all pending miscellaneous applications, if any, shall stand closed.

JUSTICE ALAPATI GIRIDHAR

Dt: 19.10.2026
TJN / JS

THE HONOURABLE SRI JUSTICE ALAPATI GIRIDHAR

WRIT PETITION (SR).No: 45117 OF 2026

Dated: 19.10.2026
TJN / JS

HIGH COURT OF ANDHRA PRADESH AT AMARAVATHI

MAIN CASE No: WRIT PETITION (SR).NO: 45117 OF 2026

PROCEEDING SHEET

Sl.No	DATE	ORDER	Office Note
	19.10.2026	**AGD, J** Writ Petition is disposed of. (vide separate order) **AGD, J** TJN / JS	