THE HONOURABLE SRI JUSTICE ALAPATI GIRIDHAR

WRIT PETITION (SR) Nos: 45109, 45110, 45111, 45112, 45113, 45114 & 45115 of 2026

COMMON ORDER:

These Writ Petitions were assigned to this Court by way of a House Motion.

2. The present Writ Petitions are filed challenging the inaction of the Respondent Authorities in receiving the Petitioners' nomination for the post of Chairperson in W.P. (SR) Nos.45109, 45110, 45112, 45113, 45114, 45115 of 2026 and Councilor in W.P. (SR) No.45111 of 2026 of Punganur Municipality and in providing adequate police protection despite their representations, the directions issued by the 2nd Respondent, and the order dated 16.10.2026 passed in W.P. Nos. 30852, 30850, 30847, 30851, 30848 & 30853 of 2026. Petitioners' seek a direction to the Respondents to provide a secure alternative venue, with adequate police protection, to enable them to submit their nominations. Alternatively, seeks a direction to treat the nominations submitted by them through emails on 17.10.2026 as having been presented within the prescribed time and to subject the same to scrutiny in accordance with law, subject to compliance with the requisite formalities.

3. Heard Mr. Guna Sekhar, learned counsel appearing on behalf of Mr. Mohammed Abdul Basith, learned counsel for the petitioners;

Mr. Chennamaraju Mallikarjuna Raju, learned Government Pleader for Home, appearing for Respondent Nos. 1, 7, 8 and 9; and Mr. Ajay Kumar Kanaparthi, learned counsel appearing on behalf of Mr. N. Ashwini Kumar, learned Standing Counsel for the State Election Commission, appearing for Respondent Nos. 2 to 6.

4. The learned counsel for the Petitioners submits that these Writ Petitions have been filed aggrieved by the inaction of the Police Authorities in providing protection and taking preventive measures against the obstruction and intimidation allegedly caused by private persons associated with the ruling party, who had gathered near and around the Petitioners' residence and attempted to prevent them from leaving their residence to participate in the nomination process for the post of Chairperson and Councilor of Punganur Municipality. The learned counsel further submits that on the same day i.e., on 15.10.2026, the Petitioners contacted the 9th Respondent, explained the prevailing situation and sought police protection. However, no effective preventive action was taken. He also submits that the 2nd Respondent addressed a letter dated 14.10.2026 to the Director General of Police, Andhra Pradesh, requesting adequate security be provided for filing the nominations.

5. It is further submitted that the Petitioners in W.P. (SR) Nos. 45109, 45110, 45112, 45113, 45114 & 45115 of 2026 approached this Court by filing W.P. Nos. 30852, 30850, 30847, 30851, 30848 & 30853 of 2026 respectively, these were taken up as a lunch

motion at 6:00 p.m. on 16.10.2026. By order dated 16.10.2026, this Court, having observed the paramount importance of the electoral process and the constitutional principles underpinning free and fair elections, left it open to the Petitioners in those Writ Petitions to submit written representations, setting out all relevant particulars, to the Respondent Authorities seeking police protection for filing their nominations. Upon receipt of such representations, the Respondents were directed to consider the same and pass appropriate orders in accordance with the procedure stipulated in the letter dated 14.10.2026, so as to enable the petitioners therein to file their nominations, the learned Government Pleader for Home and the learned Standing Counsel for the State Election Commission were also directed to communicate the gist of the said order to the concerned Authorities for its effective implementation.

6. The learned counsel for the Petitioners further submits that emails dated 16.10.2026 and 17.10.2026 were sent to the District Collector, the Superintendent of Police and the Station House Officer, Punganur, seeking immediate police protection. However, no response was received. He submits that, in view of the prevailing circumstances, the Petitioners were unable to physically submit their nominations.

7. The learned counsel alternatively requests that the nomination sent through email on 17.10.2026 be treated as having been presented within the prescribed time, subject to the Petitioners furnishing the original nomination papers, affidavits and other requisite documents,

making the prescribed deposit and completing all other formalities within such time as may be stipulated by this Court.

8. Mr. Ajay Kumar Kanaparthi, learned counsel appearing for the Respondent Nos. 2 to 6, submits that, under the applicable election notification, nomination papers are required to be submitted physically in the prescribed manner with all the documents. The Petitioners did not dispute this requirement. Therefore, the request to treat the nomination sent through emails as validly presented nominations, are not acceptable in view of the requirements stipulated in the notification and the Writ Petition is not maintainable.

9. Mr. Chennamaraju Mallikarjuna Raju, learned Government Pleader for Home, appearing for Respondent Nos. 1, 7, 8 and 9, submits that, by order dated 16.10.2026, this Court had granted liberty to the Petitioner to submit a written representation seeking police protection. However, instead of submitting such representations, the Petitioners' advocate sent emails dated 16.10.2026 and 17.10.2026. He, therefore, contends that the Petitioners have not complied with the directions issued by this Court and that there is no sufficient material warranting interference by this Court.

10. The learned Counsel for the Petitioners submits that they could not go physically to submit the written representations in terms of the order of this Court as the prevailing circumstances are such and out of

fear they could not move out of the houses. Further submits that a video is in wide circulation that on 17.10.2026 one Sri S.M.Nayaz, a candidate contesting for Councilor for 9th ward, Punganur Municipality, was prevented from entering into the Office before the Police personnel to file his nomination, his nomination papers were torn.

11. The learned Government Pleader further submits that no specific incident of obstruction or intimidation including on 16.10.2026 or 17.10.2026, has been brought to their notice. Also submits that the Petitioners' claim that they could not move out of their houses out of fear is not plausible as they could file all these writs in two rounds of litigation by signing all the Affidavits and sending them from the very same houses.

12. The learned Government Pleader for Home also submits that the Petitioners could have sought police assistance by contacting the toll-free number '112' or the mobile numbers of the concerned Officials. He further submits that the last date for submission of nominations expired on 18.10.2026.

13. The Writ Petitioners did not file any Photograph or Video in support of their contention on the alleged incidents dated 15.10.2026 at the Writ Petitioners' residences, nor did they mention the specific time of the incident/s with the names of the persons. Further there is no specific allegation on 16.10.2026 and 17.10.2026 regarding any specific incident.

14. Having considered the submissions of the learned counsel

appearing for the respective parties, this Court is of the view that the relief sought by the petitioners, insofar as it relates to the provision of police protection at an alternative venue for physically submitting their nominations, cannot be granted in a manner contrary to the election notification. The notification prescribes the Competent Authority, the venue, the period and the manner in which nominations are to be submitted. This Court cannot modify or relax the requirements stipulated in the notification in respect of the venue, date or mode of submission of nominations in the manner sought by the petitioners.

15. Further, the request to treat the nominations submitted through emails as validly presented nominations cannot be granted contrary to the procedure prescribed under the election notification, which requires physical submission of the nomination papers.

16. It is needless to mention that the free and fair election process is the life-blood of constitutional democracy and the Respondents shall ensure the same, even if there is a complaint/report through help line or e-mail or electronic communication, the latter is one of the forms provided under Sec.173 of BNSS, alleging resistance in filing nominations or any resistance or any activity affecting poll campaign etc, shall forthwith respond as per law.

17. Regarding the allegation that a video is in wide circulation that on 17.10.2026 one Sri SM Nayaz, a candidate contesting for Councilor for

9th ward, Punganur Municipality, was prevented from entering into the Office before the Police personnel to file his nomination, his nomination papers have been torn. This allegation of the Writ Petitioners is a serious one, the Respondents shall forthwith examine the allegation, verify the truth or otherwise of the allegation, and if found prima facie material, proceed to prosecute the concerned as per law. If found false, the concerned may be liable, for publishing or circulating false information or rumours, as per law including under 353 of BNS, depending on the facts of the case.

18. In view of the aforesaid reasons, the Court, inclined to dispose of the Writs, without expressing any opinion on the merits of the allegations raised by the Petitioners. The Writ Petitioners are at liberty to avail appropriate remedies as may be available to them in law, if so advised. There shall be no order as to costs.

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

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JUSTICE ALAPATI GIRIDHAR

Dt: 19.10.2026
TJN / JS

THE HONOURABLE SRI JUSTICE ALAPATI GIRIDHAR

WRIT PETITION (SR) Nos: 45109, 45110, 45111, 45112, 45113, 45114 & 45115 of 2026

Dated: 19.10.2026
TJN / JS

HIGH COURT OF ANDHRA PRADESH AT AMARAVATHI

WRIT PETITION (SR) Nos: 45109, 45110, 45111, 45112, 45113, 45114 & 45115 of 2026

PROCEEDING SHEET

Sl.No	DATE	ORDER	Office Note
	19.10.2026	**AGD, J** Writ Petitions are disposed of. (vide separate Common Order) Photocopy of this order be placed on the files of above mentioned connected cases. _____ **AGD, J** TJN / JS	