

HIGH COURT OF ANDHRA PRADESH :: AMARAVATI

WRIT PETITION (SR) No.45231 OF 2026

PROCEEDING SHEET

Sl. No.	DATE	ORDER	OFFICE NOTE
01.	24.10.2026	<u>PKC, J:</u> Heard Sri. V. Sai Kumar, learned counsel for petitioner and Sri. Siva Darshan learned Standing Counsel for Election Commission of India represented through Ms.Tanusha Kurapati, representing the respondent Nos.1 and 2 and Sri V.Ravindar, learned counsel for respondent Nos.3 and 4 State Election Commission. Learned counsel for respondent No.1 representing respondent Nos.5 and 6 subject to instructions. This Writ Petition is filed seeking the relief declaring the failure of the competent respondent authorities to take a timely decision on the petitioner's application REF No.501108G88W17102612-00007 Dated 17.10.2026, seeking transfer of his electoral registration from Ongole to Ulichhi, despite the application having been forwarded to the Electoral Registration Officer and remaining under process, as illegal and arbitrary. The learned counsel for the petitioner	

		submits that petitioner intends to participate in election notified for ZPTC under the notification issued by respondent No.3 dated 18.10.2026 for the post of ZPTC. He submitted an application on 17.10.2026 vide REF No.501108G88W1710261200007, Dated 17.10.2026, seeking the transfer of his electoral registration from Ongole to Ulich. The said application was duly submitted to the respondent No.1 through Electoral Registration Officer for necessary action. Despite of his application, so far no steps were taken. As the nomination for the post of ZPTC at Ulich is going to complete by 24.10.2026 he filed this application for the above relief. Upon receipt of notices, the learned counsels for respondent Nos.1 to 4 have appeared through virtual mode. Learned counsel for respondent Nos.1 and 2 submitted that the application submitted by the petitioner dated 17.10.2026 was received and it is processed. In general, the required time to process is seven days. In this case on 24.10.2026, it was completed and accepted on 24.10.2026. But the necessary changes would take place on verification through Booth Level Officer. Those were completed. Thereafter the necessary changes	
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		have to be made by R1 and R2 at the center. She would further submit that the Election Commission of India has taken up the process of Special Intensive Revision (SIR) 2026. As a process it freezed the website by 22.10.2026 and it will be opened only on 30.10.2026. Till then any changes, additions or modifications cannot be made though the request of the petitioner is accepted by 24.10.2026. The learned counsel for respondent No.3 / The State Election Commission submits that Section 11 of A.P.Panchayat Raj Act 1994 proviso contemplates that, as on the date of notification whatever the names reflecting in the electoral rolls only is the criteria to receive the nominations. The notification was issued on 19.10.2026 by that time the names of the persons on the electoral rolls only be considered to receive the nominations. The petitioner submitted his application to change his electoral name to Ulich village was made on 17.10.2026 and by the time of notification no changes have been incorporated in his electoral rolls. Therefore, they are freezed to consider his request as the provision says bparr to consider post notification. The learned counsel for the petitioner brought to the notice that this Court in	
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		W.P.No.45108 of 2026 dated 18.10.2026, in similar circumstances of the case, has passed orders directing the respondents i.e., R1 to R5 therein who are the respondent Nos.1 to 5 herein to consider the representation of the petitioner therein forthwith and pass appropriate orders to add the name of the petitioner in electoral rolls. Learned counsel further submits that in the same lines, this bench may pass appropriate orders. To the said submissions, the learned counsel for respondent No.3 submitted that the facts are distinguishable in the said case, the petitioner has made his application on 07.09.2026 that is much prior to the notification date i.e., 19.10.2026 and in those circumstances by the given process of change of electoral rolls, the name change/place change could be possible, accordingly, that order is passed. But in the present case, the application was made on 17.10.2026 and the process itself takes sufficient time and currently by the date of notification his name is not on the electoral rolls. With this submissions and facts, the situation arise, that the petitioner who made his representation on 17.10.2026, that his name is existing on electoral rolls in the ward	
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		of Ongole, sought for change/ transfer to Ulich. But that process has taken seven days in accepting his request and consider i.e., by 24.10.2026. By the time of notification the name of the petitioner is not in the electoral rolls of Ulich. Under the provisions of Section 11 of the Panchayat Raj Act, only those persons whose name is reflecting in that division electoral rolls only has to file their nomination. The petitioner's name is in the electoral rolls of Ongole by 19.10.2026. The notification was issued by that time Thus, Section 11 of the Panchayat Raj Act come in the force. The provisions Section 11 of the Panchayat Raj Act has barred to consider any change of electoral rolls as the notification was already issued by 19.10.2026. It is not the case that the petitioner's request was rejected. As per the submissions of respondent Nos.1 and 2 his request was accepted. But as a procedure it takes up to 30.10.2026 in view of the SIR 2026 provision of electoral rolls. In such case even this Court directs to consider the request of the petitioner pursuant to the orders of this Court passed in W.P.No.45108 of 2026 dated 18.10.2026, these provisions do not permit against the law, equalities Cannot be exercised going into the domain of State Election Commission, when the process has	
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		begun. In view of the above, this Court is of the view that no interim direction can be given, however the petitioner is at liberty to process his requisition and the respondents have to consider it in due course, as per due procedure as to change of his name in electoral rolls. At request, post on 02.11.2026. PKC, J sj/cvv	
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