

HIGH COURT OF ANDHRA PRADESH :: AMARAVATI

WRIT PETITION (SR) No.45243 OF 2026

PROCEEDING SHEET

Sl. No.	DATE	ORDER	OFFICE NOTE
01.	25.10.2026	<p><u>PKC, J:</u></p> <p>Heard Sri Eluru Sesha Mahesh Babu, learned counsel for the petitioner.</p> <p>Sri N. Ashwani Kumar, learned Standing Counsel, takes notice for Respondent Nos.1 to 4. Learned Government Pleader for Panchayat Raj and Rural Development takes notice for Respondent No.5.</p> <p>The grievance of petitioner is the impugned rejection order, dated 24.10.2026, for the post of MPTC Member, Turuvolu Territorial Constituency, Cheedikanda Mandal, Anakapalli District. The relevant portion, in the impugned order, is as follows:</p> <p>“Accordingly, scrutiny has been taken up on 24/10/2026 by the Returning Officer with the presence of Candidates/Proposers. During scrutiny, it has been noticed that</p> <p>In nomination of Serial no.38,</p> <p>1) The candidate's name in the voter card/Electoral Roll and Name in the Aadhar card was mismatched and she was not enclosed any other documents as proof expect Voter Card. This is a major lacuna and hence, her nomination is rejected.”</p>	

		<p>With the above reasons, on 24.10.2026, the Returning Officer, upon scrutiny of the nomination of the petitioner, finding the lacunae of name mismatch in voter card, electoral roll and name in the Aadhaar card, as she did not enclose any other document in support of her name, except voter card, rejected her nomination. The petitioner has preferred an Appeal before appellate authority <i>i.e.</i>, Revenue Divisional Officer, Anakapalle, challenging the said impugned order, on 25.10.2026. The election schedule specified the date 26.10.2026 as disposal of Appeals by the Appellate Authority.</p> <p>Learned counsel submits that the petitioner has also given a notarized affidavit stating that there is a mistake occurred at the name as Murru Ramadevi instead of Murru Ramani and sought to identify both as one and the same. She also took a stand that she approached Election Commission of India by filing Form-8 application seeking to rectify the discrepancy occurred in her name on 21.10.2026.</p> <p>The grievance of the petitioner is that her name in the voter identity slip is mentioned as Ramadevi Murru and in her voter ID card it is mentioned as Ramani Murru and in her</p>	
--	--	---	--

		<p>Aadhaar card it is mentioned as Murru Ramani. As per the Returning Officer's voter roll information, her name is mentioned as Ramadevi Murru. However, the contention of the petitioner is that it is a typographical error or a mistake that should not come in the way to reject her nomination.</p> <p>Learned counsel for the petitioner in support of his submissions, has referred Rule 9(2) of Andhra Pradesh Panchayat Raj (Conduct of Elections) Rules, 2006 and Rule 2(i) and (j) under Chapter-IV and under Rule 1(e), (f) and (g) under Chapter-V of Rules in Handbook for Contesting Candidates for elections to Mandal Praja Parishads and Zilla Praja Parishads. Learned counsel for the petitioner relying on Rule 2(i) and (j), under Chapter-IV and Rule 1(e), (f) and (g) under Chapter-V, submits that for any typographical error or mistake of name, nominations shall not be rejected.</p> <p>Learned counsel appearing for Respondent Nos.1 to 4 submits that the petitioner has already availed the action to the Court by way of appeal before the concerned authorities. During pendency of the Appeal, the petitioner has approached this Court. Two parallel proceedings cannot be continued and</p>	
--	--	--	--

		<p>maintainable.</p> <p>Learned Standing Counsel relied on Rule 5(b)(iv) of Writ Proceedings Rules, 1977, High Court of Andhra Pradesh, which specifically says that in the affidavit, if the petitioner does not disclose the alternative remedy that was availed by him/her, and unless that remedy is exhausted, he/she cannot approach Writ Court. Learned Counsel further relied on the common order of this court in W.P.Nos.21648 and 21661 of 2025, dated 14.08.2025 and common judgment of a Division Bench of this Court in W.A.Nos.963 and 1001 of 2025, dated 22.09.2025 and submitted that this Court has no jurisdiction.</p> <p>Respondent No.5 supports the submissions of Respondent Nos.1 to 4.</p> <p>The fact remains that the petitioner has availed the remedy of preferring an Appeal challenging the impugned order of Returning Officer on 25.10.2026. As per the notification, dated 19.10.2026, issued by the 1st respondent, disposal of the Appeals by the Appellate Authority is on 26.10.2026 and the petitioner has preferred an Appeal challenging the impugned order of her rejection and, during pendency of which, filed this Writ Petition, parallel proceedings are not</p>	
--	--	--	--

		<p>maintainable.</p> <p>At this stage, learned counsel for the petitioner submits that if this Court is not going to pass orders in this Writ Petition, due to pendency of Appeal before the appropriate authority, let her interests be protected till then.</p> <p>In view of the above submissions, since the Appeal, preferred by the petitioner, is pending before the appropriate authority, let the concerned authority take appropriate decision. Interim directions thus at this stage, cannot be granted.</p> <p>Post on 26.10.2026.</p> <div style="text-align: right;"><hr/>PKC, J</div> <p>GCD/Ksj</p>	
--	--	--	--

--	--	--	--