HIGH COURT OF ANDHRA PRADESH :: AMARAVATI

WRIT PETITION (SR) No.45229 OF 2026

PROCEEDING SHEET

Sl. No.	DATE	ORDER	OFFICE NOTE
02.	25.10.2026	**PKC, J:** When the matter is taken up in regular course, there is no representation from the petitioner's side. Sri N. Ashwani Kumar, learned Standing Counsel appeared for respondent Nos.2 to 4. The matter was directed to be posted before the regular Bench. Later, learned counsel for the petitioner appeared through virtual mode and submitted that due to technical glitch, he could not appear in time. Considering the request of learned counsel, the matter was taken up again. The contentions of learned counsel for the petitioners is that the issue of transfer her name in the electoral list from Kurnool Assembly Constituency to Pattikonda Assembly Constituency (142) was completed. Though her name in the particular electorate was accepted, but the name was not deleted in the previous constituency i.e., 137 – Kurnool Division. Because of that, the petitioner is having her name in two places which prompted the Returning Officer to raise objection that nomination of the petitioner	

would be rejected.

In previous proceedings, this Court has observed that there is appeal provision, if the nomination is rejected by the Returning Officer; the petitioner is at liberty to approach the appellate forum. In continuation of the proceedings, learned counsel submitted that the petitioner has orally come to know that her nomination was rejected. Though the petitioner intended to prefer the appeal, the authorities have orally informed her that the appeal would not be considered.

Learned counsel fairly submitted that the said information is oral information only. No written orders have been passed in that regard. The objection of the contesting respondent is that decision making process of the Returning Officer and his orders cannot be questioned under Article 226 of Constitution of India. When there is an appeal provision, the said procedure shall be followed. Hypothetical circumstances that her appeal would be rejected that cannot be a ground for invoking jurisdiction under Article 226 of the Constitution of India and even though the orders are passed rejecting the nomination, this Court has no jurisdiction to interfere with the same.

Both learned counsels have submitted

		that 25.10.2026 is the appeal date and orders would be passed on 26.10.2026. Learned counsel for the petitioner has further vehemently argued by relying on the provisions of the Andhra Pradesh Panchayat Raj (Conduct of Elections) Rules, 2006 and the decision of the Hon'ble Supreme Court that this Court would have jurisdiction whereas learned Standing Counsel for respondents submit that this Court has no jurisdiction under Article 226 of Constitution of India and he has relied on various decision of the Hon'ble The Supreme Court. Though this Court finds the contentions of learned counsel for the parties with regard to the jurisdiction of this Court, the fact remains that the petitioner has option to approach the Appellate Forum under the statute with regard to her grievances. Learned counsel for the petitioner submits that petitioner has been orally informed that her nomination was rejected and that even though the appeal preferred, petitioner has been orally informed that the appeal would also be rejected. However, these submissions are only based on oral information, but no written orders. At any rate, the matter has to be considered before the Appellate Authority.	

		As the time prescribed in the notification to decide the appeal is stated to be 26.10.2026, hence, the matter be posted before Regular Bench on 26.10.2026. **PKC, J** Ksj/GCD	