APHC010538182026

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI **[3458]**
(Special Original Jurisdiction)

FRIDAY, THE 9th DAY OF OCTOBER 2026

PRESENT

THE HONOURABLE SMT JUSTICE KIRANMAYEE MANDAVA

WRIT PETITION NO: 29431/2026

Between:

1. BODIMALLA VISHNU VARDHAN,, S/O. SRI PULLA REDDY, AGED ABOUT 37 YEARS, OCC SOCIAL WORKER AND BUSINESS, R/O. FLAT NO-301, 3RD FLOOR, RISHIK ENCLAVE APARTMENT, 11TH CROSS ROAD, ROSHAN ACADEMY STREET, ISKON CITY, PO DARGAMITTA, NELLORE, SPSR NELLORE DISTRICT, ANDHRA PRADESH - 524003.

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY, MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT (MA AND UD) DEPARTMENT, SECRETARIAT,VELAGAPUDI, AMARAVATI, GUNTUR DISTRICT, ANDHRA PRADESH - 522238.
2. THE ANDHRA PRADESH STATE ELECTION COMMISSION, REP. BY ITS SECRETARY, 1ST FLOOR, NEW HODS BUILDING, M.G. ROAD, VIJAYAWADA, ANDHRA PRADESH - 520010.
3. NELLORE MUNICIPAL CORPORATION, REP. BY ITS COMMISSIONER, NELLORE, SPSR NELLORE DISTRICT, ANDHRA PRADESH - 524001.
4. THE DISTRICT COLLECTOR AND DISTRICT ELECTION AUTHORITY, SPSR NELLORE DISTRICT, COLLECTORATE COMPOUND, NELLORE, SPSR NELLORE DISTRICT, ANDHRA PRADESH -524001.

...RESPONDENT(S):

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased toissue a Writ, Order, or Direction, particularly one in the nature of a Writ of Mandamus, declaring the inaction of the 3rd Respondent in mapping and incorporating the Petitioner's name into the Wardwise Photo Electoral Roll of the Nellore Municipal Corporation, despite his valid voter transfer to the Assembly Electoral Roll for 118-Nellore Rural AC (Part No. 243, EPIC No. WUT0429258) having been completed on 25.09.2026 and despite the Petitioner's formal representation dated 05.10.2026, as illegal, arbitrary, and violative of Section 12(1) of the Municipal Corporations Act, 1955, and Rules 3 and 6 of the A.P. Municipal Corporations (Preparation and Publication of Electoral Rolls) Rules, 2001, and consequently direct the Respondents to forthwith update the corresponding municipal ward electoral roll to include the Petitioner's name prior to the issuance of the ensuing Municipal election notification,

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Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased direct the 3rd Respondent to forthwith incorporate and reflect the name of the Petitioner (EPIC No. WUT0429258) in the Ward-wise Photo Electoral Roll of the Nellore Municipal Corporation corresponding to Part No. 243 of 118-Nellore Rural Assembly Constituency prior to the issuance of the Municipal election notification for the ensuing Ordinary Elections to the Nellore Municipal Corporation,

Counsel for the Petitioner:

1. CKR ASSOCIATES

Counsel for the Respondent(S):

1. GP MUNCIPAL ADMN AND URBAN DEV AP

The Court made the following:

THE HONOURABLE SMT JUSTICE KIRANMAYEE MANDAVA

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ORDER:-

Heard Sri N. Sai Phanindra Kumar, learned Counsel appearing for the petitioner; learned Government Pleader for Municipal Administration and Urban Development, appearing for respondent No.1, Sri N. Ashwini Kumar, learned Standing Counsel appearing for respondent No.2, Sri Vankayalapati N. Praveen, learned Standing Counsel appearing for respondent No.3.

2. The petitioner contends that he is a native of Atmakur, SPSR Nellore District. However, he has resided in Nellore City for the past 10 years due to his professional work, within the Nellore Municipal Corporation jurisdiction. His electoral enrolment was previously with Ward No.1, Atmakur Municipality, Nellore District. As an ordinary resident of Nellore, he submitted an online application on 18.09.2026 in the prescribed format to transpose his electoral roll from Atmakur Municipality to Nellore Rural-118, under Rule 26 of the Registration of Electors Rules, 1960, read with Section 22 of the Representation of the People Act, 1950. The said application was processed and registered. The Electoral Registration Officer, 118-Nellore Rural Assembly Constituency, verified the application and approved transposition of the voter enrollment on 25.09.2026 itself. On 25.09.2026, the ECI (Election Commission of India) web portal also showed the application status as "E-roll updated" in Part No.243.

Relying on Section 12 of the A.P. Municipal Corporations Act, 1955, and Section 21 of the Municipal Corporations Act, read with Rule 3 of A.P. Municipal Corporations (Preparation and Publication of Electoral Rolls) Rules, 2001, the petitioner contends that, until the election notification is issued, any amendments, transpositions, and deletions shall be carried out in the publication of electoral roll up to the date of issuance of the notification.

3. The petitioner contends that he proposes to contest the ensuing elections to the Nellore Municipal Corporation as a Member/Corporator. Therefore, if the 3rd respondent does not incorporate his name in the Ward-Wise Photo Electoral Roll of Nellore Municipal Corporation before the issuance of the election notification, he will not be able to contest the election. In this regard, the petitioner made a representation dated 05.10.2026, enclosing the status of Form-8 and proof of residence, including the ECI voter Enrollment Extract. Despite receiving the same, the 3rd respondent did not act on the application to transpose the details from Part No.243 of 118-Nellore Rural Assembly Constituency to the corresponding Municipal Ward Photo Electoral Road. It is contended that in the meanwhile, there is every likelihood that the election Notification would be issued soon. Thus the instant Writ Petition.

4. The petitioner further contends that, under the relevant statutory provisions and the Circulars, the Authorized Officer is obligated to carry out consequential amendments in the Electoral Roll of the Corporation up to the

date of election notification. In this regard, the petitioner, placed reliance on the notification issued by the State Election Commission, contends that even after issuance of the election notification, the Commissioner of the Municipal Corporation has got ample power to issue a supplementary list of inclusions, deletions and modifications approved by the Electoral Registration Officer up to the date of election notification and carry them out in the Electoral Rules. In light of the said notification, the petitioner contends that, citing 01.01.2026 as the qualifying date, the respondents cannot reject the petitioner's claim for inclusion of his name in the photo electoral rolls. In this regard, since the representation is pending before the authorities, the petitioner seeks expeditious disposal of the representation to include his name in the photo electoral roll before the election notification is issued.

5. Considered the submissions.

6. A perusal of the application status shows that the application was submitted on 18.09.2026, as noted from the screenshot of the ECI web portal. The current status is shown as ***E-roll updated***. Having regard to the same, in light of the provisions of Section 12 of the A.P. Municipal Corporation Act read with Rule 3 of A.P. Municipal Corporation (Preparation and Publication of Electoral Rules) Rules, 2001, this Court deems it appropriate to direct respondent Nos.2, 3 & 4 to pass appropriate orders on the representation of the petitioner dated 05.10.2026 forthwith to publish the name of the petitioner

in the photo electoral rolls before the election notification for Urban Local Bodies is issued.

7. With the above directions, the Writ Petition is disposed. There shall be no order as to costs.

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

JUSTICE KIRANMAYEE MANDAVA

Dated:09.10.2026
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Date:09.10.2026

MVK