APHC010549572026

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI **[3333]**
(Special Original Jurisdiction)

FRIDAY, THE 16th DAY OF OCTOBER 2026

PRESENT

THE HONOURABLE SMT JUSTICE V.SUJATHA

WRIT PETITION NO: 30089/2026

Between:

1. KASU MAHESH REDDY,, S/O KASU KRISHNA REDDY AGED ABOUT 52 YEARS, OCC. E.X. M.L.A RIO NARSARAOPET, PALANDU DISTRICT. A.P-522601

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP. BY IT0S PRINCIPAL SECRETARY MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT DEPARTMENT, SECRETARIAT BUILDINGS, VELAGAPUDI, GUNTUR DISTRICT. A.P-522237.
2. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY PANCHAYAT RAJ AND RURAL DEVELOPMENT DEPARTMENT. SECRETARIAT BUILDINGS, VELAGAPUDI, GUNTUR DISTRICT. A.P-522237.
3. THE STATE ELECTION COMMISSION OF ANDHRA PRADESH, REP. BY ITS STATE ELECTION COMMISSIONER, 1ST FLOOR, NEW H.O.D BUILDING, OPP. INDIRA GANDHI MUNICIPAL STADIUM, M.G. ROAD, VIJAYAWADA - A.P-520 010.
4. THE DISTRICT COLLECTOR, PALNADU DISTRICT. A.P-522601
5. THE SUPERINTEDENT OF POLICE, PALNADU DISTRICT. A.P-

522601

6. THE REVENUE DIVISIONAL OFFICER, GURAZALA DIVISION, PALNADU DISTRICT. A. P-522415

...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 to to issue a Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus, declaring the action of the 3rd Respondent in merely forwarding the Petitioner's representation dated 06.10.2026 vide Lr.No.718/SEC-F2/2026 dated 08.10.2026, without considering the request for permitting the filing of nominations before the District Collector or the Revenue Divisional Officer, as illegal, arbitrary and violative of Articles 14 and 21 of the Constitution of India and contrary to Articles 243K and 243ZA of the Constitution of India, and consequently direct the 3rd Respondent to permit the intending candidates of Gurazala Constituency to file their nominations before the 4t1i Respondent District Collector, at Narasaraopet, or before the 6th Respondent Revenue Divisional Officer, with CCTV recording of the nomination process and adequate security to the candidates at the time of filing

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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 to direct the 3rd Respondent to consider the Petitioner's request in the representation dated 06.10.2026 for permitting the filing of nominations before the 2nd Respondent at Narasaraopet or before the 6th Respondent

Counsel for the Petitioner:

1. RAMALAKSHMANA REDDY SANEPALLI

Counsel for the Respondent(S):

1. GP FOR PANCHAYAT RAJ RURAL DEV

2. GP FOR HOME

3. GP FOR REVENUE

4. N ASHWANI KUMAR

5. GP MUNCIPAL ADMN AND URBAN DEV AP

The Court made the following:

ORDER:

This Writ Petition came to be filed under Article 226 of the Constitution of India, seeking the following prayer:

> "…to issue a Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus, declaring the action of the 3rd Respondent in merely forwarding the Petitioner's representation dated 06.10.2026 vide Lr.No.718/SEC-F2/2026 dated 08.10.2026, without considering the request for permitting the filing of nominations before the District Collector or the Revenue Divisional Officer, as illegal, arbitrary and violative of Articles 14 and 21 of the Constitution of India and contrary to Articles 243K and 243ZA of the Constitution of India, and consequently direct the 3rd Respondent to permit the intending candidates of Gurazala Constituency to file their nominations before the 4t1i Respondent District Collector, at Narasaraopet, or before the 6th Respondent Revenue Divisional Officer, with CCTV recording of the nomination process and adequate security to the candidates at the time of filing…"

2. The petitioner is a former Member of Legislative Assembly of Andhra Pradesh, from Gurazala constituency. The case of the petitioner is that the 3rd respondent – State Election Commission is conducting 2nd ordinary elections to municipal bodies and panchayat bodies, 2026; as such, the petitioner addressed a letter dated 06.10.2026 to the 3rd respondent with a request to ensure a free and fair election in Gurazala constituency and to immediately intervene and protect the persons who are intending to contest

the forthcoming elections against threats, intimidation and police harassment. The said representation was forwarded by the Joint Director of A.P. State Election Commission to respondent Nos.4 and 5 vide letter bearing No.718/SEC-F2/2026, dated 08.10.2026, instructing to assess the situation and take steps to ensure free, fair and smooth conduct of local body elections in Gurazala constituency. Aggrieved by the action of the respondent authorities in merely forwarding the petitioner's letter, without considering the request for permitting to file nominations before the 4th respondent, the present writ petition is filed.

3. Heard Sri. S. Rama Lakshmana Reddy, learned counsel for the petitioner and learned Standing Counsel for the 3rd respondent.

4. Perused the entire material available on record. It can be seen from the material available on record that the petitioner, being a former Member of Legislative Assembly of Gurazala Constituency has filed the present writ petition in the form of a Public Interest Litigation. This Court is also of the opinion that as the petitioner is not contesting in the ensuing elections, he is not personally affected by the impugned letter addressed by the Joint Director of A.P. State Election Commission to respondent Nos.4 and 5. Time and again, the Hon'ble Apex Court held that a person must have locus standi to file a writ as being personally affected by the impugned order or

invasion of his /her fundamental rights. This principle was reiterated in ***Ayaaubkhan Noorkhan Pathan v. State of Maharashtra***[1] and is being extracted below:

> "Thus, from the above it is evident that under ordinary circumstances, a third person, having no concern with the case at hand, cannot claim to have any locus standi to raise any grievance whatsoever. However, in exceptional circumstances as referred to above, if the actual persons aggrieved, because of ignorance, illiteracy, inarticulation or poverty, are unable to approach the court, and a person, who has no personal agenda, or object, in relation to which, he can grind his own axe, approaches the court, then the court may examine the issue and in exceptional circumstances, even if his bona fides are doubted, but the issue raised by him, in the opinion of the court, requires consideration, the court may proceed suo moto, in such respect."

5. According to the doctrine of locus standi, a person who is stranger to a disputed matter cannot be allowed to interfere in the judicial proceedings through a writ petition, but, only a person whose legal right has been violated, that is the aggrieved person against whom a decision has been pronounced, is allowed to bring an action in the Court.

6. In the case on hand, the grievance of the petitioner is with regard to the rights and interests of persons intending to contest the elections, and

[1] (2013) 4 SCC 465

not with regard to his personal legal right. If the petitioner intends to espouse the cause of such persons and seek appropriate directions in the larger public interest, the proper course would be to file a Public Interest Litigation, as per law. The petitioner, under a petition filed under Article 226 of the Constitution of India, cannot compel the respondents to permit candidates to file their nominations before a particular authority. As such, this writ petition is devoid of merits.

7. Accordingly, this writ petition is dismissed. There shall be no order as to costs.

Consequently, Miscellaneous Petitions, if any, pending in this Petition shall stand closed.

JUSTICE V.SUJATHA

Date:16.10.2026
Gss